

**OFFICIAL AGENDA**  
**TUESDAY November 15, 2016**  
**Meeting Start Time: 9:30 a.m.**  
**Board of County Commissioners**  
**Yellowstone County, Montana**  
**Yellowstone County Courthouse**  
**217 N. 27th Street Room 403A**  
**Billings, MT**  
**9:00 a.m. Agenda Setting**

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Pledge to the Flag: Moment of Silence: Minutes

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**REGULAR AGENDA**

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**1. COMMISSIONERS**

- a. Proclamation 16-115 - 16 Days of Activism Against Gender Violence
- b. Exercising Yellowstone County's Option to Acquire Payne West Facility

**2. EMERGENCY AND GENERAL SERVICES**

Amended Resolution 16-126 of Intent to Create Fuego Fire Service Area and Setting the Public Hearing for Tuesday December 20, 2016 @ 9:30 a.m in Room 403A

**3. PLANNING DEPARTMENT**

Bar 11 Subdivision - Preliminary Major Plat

**CLAIMS**

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**CONSENT AGENDA**

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**1. PURCHASING**

- a. Agreement with Design 3 Engineering for Engineering Inspection of 85 Small Span Bridges in Yellowstone County
- b. Request to Expend for the Weed Department to Purchase a New 1 Ton 4x4 Truck
- c. Change Order #1 Swank Construction Elevator Lift Payne West Building

**2. CLERK AND RECORDER**

Final Plat - Fire Rock Subdivision Plat and S.I.A.

**3. COMMISSIONERS**

Legislative Services Agreement with Ed Bartlett

**4. EMERGENCY AND GENERAL SERVICES**

- a. MOU of Responsibilities of the County and the Rural Fire Departments Regarding the 2016 AFG Grant Application
- b. Department of Homeland Security FY2016 Assistance to Firefighter's Grant Application - Requesting Rural Fire Communications Equipment

5. **FINANCE**

- a. Bond for Lost Warrant
- b. Resolution 16-125 Creating RSID 831M - Fire Rock Subdivision - Dry Hydrant

6. **PUBLIC WORKS**

Final Resolution 16-123 to Abandon Sleeper Lane

7. **SHERIFF**

Request to Expend for the Purchase of a Smart Phone to Replace a Flip Phone for Sheriff Labor Detail and 24/7 Program Detention Sergeant

8. **HUMAN RESOURCES**

**PERSONNEL ACTION REPORTS - MetraPark** - 1 Appointment; **Sheriff's Office** - 1 Appointment, 2 Salary & Other

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**FILE ITEMS**

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1. **AUDITOR**

October 16th to October 31st Payroll Audit

2. **CLERK AND RECORDER**

- a. **Board Minutes** - BUFSA, Laurel Fire District #5, Yellowstone Conservation District, Yellowstone Historic Preservation Board, Mental Health Center, Youth Services Center, Tax Appeal Board, County Water District
- b. Re-Submitted Petition to Create Fuego Fire Service Area

3. **CLERK OF DISTRICT COURT**

Checks & Disbursements from 10/01/2016 to 10/31/2016

4. **COMMISSIONERS**

- a. Letter from Planning Regarding Variance for Detention Center Expansion
- b. Letter from Mr. Bob Riehl, Chairman of the Lockwood Steering Committee Regarding Supporting the Proposed TEDD

5. **HUMAN RESOURCES**

Response to October 16th through October 31st Payroll Audit Findings

6. **PARKS**

Lease Agreement for the Lockwood Little League Park between the Montana Department of Environmental Quality and the Yellowstone County Board of Park Commissioners

7. **PURCHASING**

Documentation for the Request for Proposals & Request for Qualifications for General Contractor/Construction Manager Services for the Detention Facility Addition/Remodel

8. **TREASURER**

Disbursements and Checks for October 2016

**PUBLIC COMMENTS ON COUNTY BUSINESS**

**B.O.C.C. Regular**

Agenda Item 1. a.

**Meeting Date:** 11/15/2016

**Title:** 16 Days of Activism Against Gender Violence Proclamation

**Submitted By:** Paulette Turner-Byrd

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**TOPIC:**

Proclamation 16-115 - 16 Days of Activism Against Gender Violence

**BACKGROUND:**

Yearly proclamation request by the Zonta Club

**RECOMMENDED ACTION:**

Read and sign proclamation

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**Attachments**

Activism re Gender Violence Proclamation

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## 16 DAYS OF ACTIVISM AGAINST GENDER VIOLENCE

Proclamation No. 16 - 115

**WHEREAS**, we as citizens of Yellowstone County, State of Montana, recognize the worldwide problem of violence against women occurs even here in Yellowstone County; and

**WHEREAS**, gender violence is traumatic to the body, mind and spirit and can prevent people from being fully active participants at home and in the world; and

**WHEREAS**, the health of parents and caregivers is critical to the overall health and wellbeing of their families and the larger community; and

**WHEREAS**, gender violence costs the nation billions of dollars annually in medical expenses, police and court costs, shelters and foster care, sick leave, absenteeism and non-productivity; and

**WHEREAS**, in spite of some progress, we need only to look at our newspapers or watch a television newscast to see the unfortunate truth that gender violence has not yet been eliminated here in Yellowstone County or around the world; and

**WHEREAS**, we, the citizens Yellowstone County, support efforts of individuals and join organizations, such as the Zonta Club of Billings, to raise awareness, stimulate discussion, and advocate for statewide solutions that will curb gender violence; and

**WHEREAS**, the citizens of Yellowstone County join thousands of others from around the world to assert that the right of women and men to be free of violence is a fundamental human right.

**THEREFORE AND TOWARD THAT END**, the Commissioners of Yellowstone County, Montana, do hereby proclaim the 16 days between International Day to Eliminate Violence Against Women on November 25th and International Human Rights Day on December 10th as the 16 Days of Activism Against Gender Violence. During these 16 days, all citizens of Yellowstone County are urged to support work to end gender violence and to eliminate the detrimental consequences gender violence has on the wellbeing of Yellowstone County, Montana.

**PASSED AND ADOPTED** by the Board of County Commissioners, Yellowstone County, Montana this 15th day of November, 2016.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

John Ostlund, Chairman

(Seal)

James E. Reno, Member

ATTEST:

Robyn Driscoll, Member

Jeff Martin  
Clerk & Recorder

**B.O.C.C. Regular**

Agenda Item 1. b.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Exercising Yellowstone County's Option to Acquire Payne West Facility

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

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**Attachments**

Appraisal

PayneWest-1

PayneWest-2

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# G.L.Simek

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Certified General Real Estate Appraiser and Consultant  
2320 3<sup>rd</sup> Avenue North  
Billings, MT 59101  
(406) 245-6926

November 4, 2016

Yellowstone County Commissioners  
c/o Daniel L. Schwarz, Chief Deputy County Attorney  
217 North 27<sup>th</sup> Street  
Yellowstone County Courthouse  
Billings, MT 59107

RE: PayneWest Insurance office building and adjoining surface parking lots  
2323 2<sup>nd</sup> Avenue North  
Billings, Montana

Dear Mr. Schwarz:

As previously agreed to and appropriate for this appraisal, I hereby furnish you with an Appraisal Report on the above referenced property located in Billings, Montana.

The purpose of this appraisal is to provide a supported opinion of the market value range of the subject property that will be used as an aid in or to support decisions related to purchasing the real property. The property rights appraised are the fee simple estate. The value(s) reported in the Reconciliation and Certification of Value sections are subject to the Assumptions and Limiting Conditions contained in this report. The reader's attention is specifically directed to the Exceptional Assumptions and Limiting Conditions on page 14 of this report.

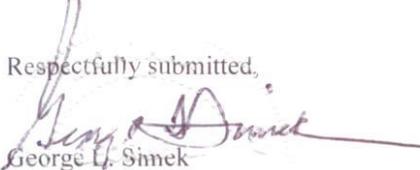
The narrative report that follows sets forth my value conclusions along with the identification of the property and summary discussions of pertinent facts about the area, the subject property, comparable data, the results of the investigation and analysis undertaken and the reasoning that form the basis of my opinion.

This report was prepared for and my professional fee billed to the client, Yellowstone County Commissioners. The intended users are appropriate Yellowstone County Officials and is intended for their sole and exclusive use. **This report may not be distributed to or relied upon by other unintended users, persons or entities. Parties who receive a copy of this report as a consequence of disclosure requirements applicable to the appraiser's client do not become intended users of the report unless they are specifically identified by the appraiser at the time of the assignment. Any entity/person receiving a copy of this appraisal report from the client does not, as a consequence, become a party to the appraiser-client relationship. The appraiser is not obligated to discuss any aspect of this report with unintended users, entities or third parties nor is he responsible or liable for any unauthorized use of this report. Any use of this report other than the intended use stated in this report nullifies and voids the analysis and value estimate(s) provided herein.**

The report is in compliance with written and/or oral instructions from Mr. Daniel L. Schwarz and conforms to the Uniform Standards of Professional Appraisal Practice (USPAP).

I trust you will find the information contained within this report useful for your needs. In the event you have any questions, please do not hesitate to contact the appraiser.

Respectfully submitted,



George L. Simek  
Certified General Real Estate Appraiser with endorsement of Real Estate Appraiser Mentor  
State of Montana, License No. REA-RAG-LIC-426

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**INTRODUCTION**



**PayneWest Insurance Office Building  
2323 2<sup>nd</sup> Avenue North  
Taken by George L. Simek on 10/14/2016**

**SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS**

Primary Owner: Hoiness LaBar Insurance, Inc.  
P.O. Box 30638  
Billings, MT 59107-0638

Property Address: Parcel 1 – Northwest corner of North 23<sup>rd</sup> and 2<sup>nd</sup> Avenue North  
Billings, MT  
Parcel 2 – 217 North 24<sup>th</sup> Street  
Billings, MT  
Parcel 3 – 209 North 24<sup>th</sup> Street  
Billings, MT  
Parcel 4 – 2323 2<sup>nd</sup> Avenue North  
Billings, MT

Legal Descriptions:

<b>Legal Description Summary</b>	
<b>Identification</b>	<b>Legal Description</b>
Parcel 1	Lots 1 and 2, Block 62, Billings Original Townsite
Parcel 2	Lots 17 and 18, Block 62, Billings Original Townsite
Parcel 3	Lots 19 and 20, Block 62, Billings Original Townsite
Parcel 4	Lots 21, 22, 23 and 24, Block 62, Billings Original Townsite

All four parcels are located in the City of Billings, Yellowstone County, in the State of Montana.

Area Economic Conclusions: Professional/medical office, retail, service, restaurant/casino/lounge, financial institutions, hotel/motel, government office buildings, surface parking lots, retirement facilities, single and multi-family structures and public bus transfer complex.

Type of Property: Office facility with adjacent paved parking lots.

Highest & Best Use: As Vacant – Service or professional office uses. Alternatively, use as surface parking lots on an interim basis or assemblage with adjacent properties may be maximally productive.

As Improved – Continued use as a professional office facility with adjacent surface parking lots.

2015 Taxes –

<b>2015 Tax Summary</b>		
<b>Identification</b>	<b>Tax Code</b>	<b>2015 Real Estate Tax Liability</b>
Parcel 1	A00402	\$ 2,047.61
Parcel 2	A00412	\$ 1,873.45
Parcel 3	A00413	\$ 1,932.39
Parcel 4	A00414	\$19,510.69

Zoning: All four parcels are situated in the Central Business District (CBD)

Site Size –

<b>Site Area Summary</b>	
<b>Identification</b>	<b>Gross Site Area</b>
Parcel 1	7,000 SF
Parcel 2	7,000 SF
Parcel 3	7,000 SF
Parcel 4	14,000 SF

Building Improvements: Parcels 1, 2 and 3 – None (surface parking lots).  
Parcel 4 – 17,926 SF of professional office space.

<b>Office Building SF Summary</b>	
<b>Identification</b>	<b>Area in SF</b>
Main Floor	3,606 SF
Upper Level	7,160 SF
Lower Level	<u>7,160 SF</u>
GBA in SF	17,926 SF
Basement Area <sup>1</sup>	2,112 SF

<sup>1</sup>Approximately 608 SF± is finished.

Observation Date: 10/14/2016 and 10/18/2016

Effective Date: 2/23/2016

<b>Value Indications</b>		
Land Value		
	Site 3:	\$266,000
Cost Approach:		NA
Sales Comparison Approach		
	Direct Comparison Site 1:	\$129,500
	Direct Comparison Site 2:	\$252,000
	Direct Comparison Site 3:	<u>\$1,377,400</u>
	Direct Comparison Sites 1, 2 and 3:	\$1,758,900
Income Capitalization Approach		
	Direct Capitalization:	\$1,729,500 to \$1,898,000

**TYPE OF APPRAISAL REPORT**

Appraisal Report	Restricted Report
X	

Appraisal Report – A written report that is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the USPAP standards for an Appraisal Report. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated within this report. The appraiser is not responsible for unauthorized use of the report.

**COMPETENCY STATEMENT**

I, George L. Simek, have the education, knowledge and experience to competently complete an appraisal of the subject property. Refer to the appraiser’s qualifications in the Addenda.

**PURPOSE OF THE APPRAISAL**

The purpose of this appraisal is to provide a supportable opinion of the market value range of the subject property as of the effective date of the appraisal, February 23, 2016.

**INTENDED USE/USER OF THE APPRAISAL**

This appraisal will be used as an aid in or to support decisions related to purchasing the real property. The intended users are appropriate Yellowstone County officials. **This report may not be distributed to or relied upon by other unintended users, persons or entities. Parties who receive a copy of this report as a consequence of disclosure requirements applicable to the appraiser’s client do not become intended users of the report unless they are specifically identified by the appraiser at the time of the assignment. Any entity/person receiving a copy of this appraisal report from the client does not, as a consequence, become a party to the appraiser-client relationship. The appraiser is not obligated to discuss any aspect of this report with any unintended users, entities or third parties which are not stated as an intended user in this report nor is he responsible or liable for any unauthorized use of the report. Any use of this report other than the intended use stated in this report nullifies and voids the analysis and value estimate(s) provided herein.**

This appraisal was requested by Mr. Daniel L. Schwarz. This appraisal has been completed to comply with USPAP and written/oral instructions from Mr. Daniel L. Schwarz.

**SCOPE OF THE APPRAISAL**

I discussed the assignment with the client and observed the existing structural and site improvements on 10/14/2016. In addition, I referenced Yellowstone County CAMA data.

I examined the subject's marketing area to determine the existing and proposed inventory as well as demand for and marketability of the subject property. Based on the location of the subject property, surrounding land use/trends and structural improvements, the highest and best use of the land as vacant and as improved was determined.

I searched the local market for recent land sales in the downtown area in addition to utilizing land sales from my data base. The land sales selected are based on location and zoning; they are not selected on the sale price. A land value was reported for the subject property.

The Cost Approach is a good indicator of the value when the improvements are new or relatively new, represent the highest and best use of the land or where there are few sales or limited lease data available. The subject property was developed in 1959 and has been renovated over the years. The Cost Approach would require estimating the effective age of the improvements in order to determine the amount of depreciation to apply to the reconstruction cost new. There are adequate but limited sales and income/expense data available with which to determine a value indication by the Income Capitalization and Sales Comparison Approaches. Therefore, a value opinion by the Cost Approach has not been included in this report.

A survey of professional office rental rates in the downtown area was conducted. Rental rates and a vacancy rate for the subject property were estimated. The landlord's operating expenses were estimated and deducted from the effective gross income to derive the net operating income. A cap rate was determined from sales of office properties in the community and the downtown area. Cap rates from the mortgage equity band of investment method were referenced. The net operating income was capitalized and a value range indication was generated.

I searched the local market for sales of professional office properties in the downtown area and utilized sales from my data base. Four sales, one pending sale and one listing were identified and analyzed with respect to the subject property. A value estimate by the Sales Comparison Approach was reported.

The value range indicated by the Income Capitalization Approach and the value estimate indicated by the Sales Comparison Approach were reconciled and a value opinion range of the fee simple estate was reported.

## DEFINITION OF MARKET VALUE<sup>1</sup>

**"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus."** Implicit in this definition are the consummation of a sale as of a specific date and the passing of title from seller to buyer under conditions whereby:

- buyer and seller are typically motivated;
- both parties are well informed or well advised and acting in what they consider their own best interests;
- a reasonable time is allowed for exposure in the open market;
- payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
- the price represents the normal consideration for the property sold unaffected by special or creative financing or sale concessions granted by anyone associated with the sale.

## PROPERTY RIGHTS APPRAISED

The property rights appraised are the fee simple estate.

## NON-REALTY ITEMS

No personal property items, e.g., furniture, fixtures and equipment (FF&E) or other non-realty items have been included in the value estimates provided herein. There is considerable FF&E (chairs, tables, desks and portable walls) that is reported to be included in the sale of the subject property if the client exercises their option to purchase the property. The client may contact an expert in valuing FF&E if desired.

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<sup>1</sup> Federal Register, Rules and Regulations, Volume 55, No. 165, page 34696.

## ASSUMPTIONS AND LIMITING CONDITIONS

1. The effective date of value to which the opinions expressed in this report apply is set forth in the certification. The appraiser assumes no responsibility for economic or physical factors occurring at some later date that may affect the opinions stated herein.
2. No opinion is intended to be expressed for legal matters that would require specialized investigation or knowledge beyond that ordinarily employed by real estate appraisers, although such matters may be discussed in the report.
3. No opinion as to title is rendered. Data on ownership and the legal descriptions were obtained from sources generally considered reliable. Title is assumed to be marketable and free and clear of all liens and encumbrances, easements and restrictions except those specifically discussed in the report. The property is appraised assuming it to be under responsible ownership and competent management and available for its highest and best use.
4. An engineering survey has not been conducted by the appraiser. Except as specifically stated, data relative to size and area was taken from sources considered reliable.
5. The maps, plats and exhibits included herein are for illustration only and used as an aid in visualizing matters discussed within the report. They should not be considered as surveys or relied upon for any other purpose.
6. No opinion is expressed as to the value of subsurface oil, gas, or mineral rights and that the property is not subject to surface entry for the exploration or removal of such materials except as expressly stated.
7. Testimony or attendance in court or at any other hearing is not required by reason of rendering this appraisal unless such arrangements are made a reasonable time in advance and at an additional fee.
8. A title report was not made available to the appraiser. The appraiser assumes no responsibility for such items of record not disclosed in a title report or by his normal investigation in the appraisal process.
9. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in this report.
10. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined and considered in this report.
11. It is assumed that all required licenses, certificates of occupancy, or other legislative or administrative authority from any local, state or national governmental, or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.

12. It is assumed that the utilization of the land and improvements are within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.
13. Unless otherwise stated in this report, the existence of hazardous material that may or may not be present on the property was not observed by the appraiser. The appraiser has no knowledge of the existence of such material on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as toxic waste, asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.
14. On January 26, 1992, the Americans with Disabilities Act (ADA) became effective. I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible noncompliance with the requirements of the ADA in estimating the value of the property.
15. The appraiser **is not** a property inspector, general contractor, structural engineer, environmental specialist, plumber, electrician, roofer, pest control specialist, etc. A physical inventory of the subject property is required as part of the appraisal process in order to a) adequately describe the real estate in the appraisal report, b) develop an opinion of the highest and best use, and c) make meaningful comparisons in the valuation of the property, but it does not constitute an expert inspection of the property. In addition, the appraiser does not have professional expertise regarding deed restrictions, FEMA and zoning classifications. Zoning classification data is obtained from the City/County Planning and FEMA data is based on FEMA maps when available. The property inventory and appraisal do not guarantee that the property is free of defects including code violations. In order to fully and adequately determine the condition of the subject property, the client and/or parties involved with the property are encouraged to consult specialists in their respective fields of expertise. The appraiser makes no warranties, either expressed or implied.
16. The liability of George L. Simek is limited to the client and to the fee collected. **This report may not be distributed to or relied upon by other unintended users, persons or entities. Parties who receive a copy of this report as a consequence of disclosure requirements applicable to the appraiser's client do not become intended users of the report unless they are specifically identified by the appraiser at the time of the assignment. Any entity/person receiving a copy of this appraisal report from the client does not, as a consequence, become a party to the appraiser-client relationship. The appraiser is not obligated to discuss any aspect of this report with any unintended users, entities or third parties nor is he responsible or liable for any unauthorized use of this report. Any use of this report other than the intended use stated in this report nullifies and voids the analysis and value opinion(s) provided herein.** The appraiser assumes no responsibility for any costs incurred to discover or correct any deficiencies of any type present in the property, physically, financially, economically or legally.

17. This appraisal report contains "trade secrets and commercial or financial information" which is privileged and confidential and exempt from disclosure under 5 U.S.C. 552 (b) (4). Disclosure of the contents of this report is governed by the Bylaws and Regulations of the Appraisal Institute. Neither all nor any part of the contents of this report shall be used for any purposes by anyone but the client specified in the report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser. Notify George L. Simek of any request to reproduce this appraisal in whole or in part.

## EXCEPTIONAL ASSUMPTIONS AND LIMITING CONDITIONS

1. The State of Montana is a "nondisclosure" state and as such, sale prices of real estate are not publicly recorded, therefore, few centralized sources of sale prices for real estate transactions exist. In addition, no one associated with a real estate sale transaction is obligated to release or verify information. The client is hereby notified that it is possible there may be sales of comparable properties of which I have no knowledge and have not analyzed herein. The information presented herein has been gathered from sources deemed reliable and every effort has been made to insure its accuracy.
2. A Phase I Environmental report was not made available to the appraiser. The analysis and value(s) reported herein are null and void should such an environmental report disclose the presence of hazardous substances on or within the subject site. The client is urged to retain an expert in this field, if desired.
3. Yellowstone County and assigns agree to indemnify and hold harmless, George L. Simek, Real Estate Appraiser and Consultant and employees/trainees from any and all claims for loss and liabilities of any nature whatsoever arising out of or related to this contract, the appraisal report, or use of this report for any other use by any unintended user.
4. The effective date of this report is the date requested by the client which is based on a lease negotiated between PayneWest Insurance, Inc. and Yellowstone County on February 23, 2016.
5. Desks, chairs, tables and portable walls pictured in the subject pictures are not included in the value opinion range stated in this report. These fixtures are FF&E and will be purchased separately by the client if they exercise their option to purchase the property.
6. Gross building, office and basement areas are based on Yellowstone County CAMA data.

REGIONAL LOCATION MAP



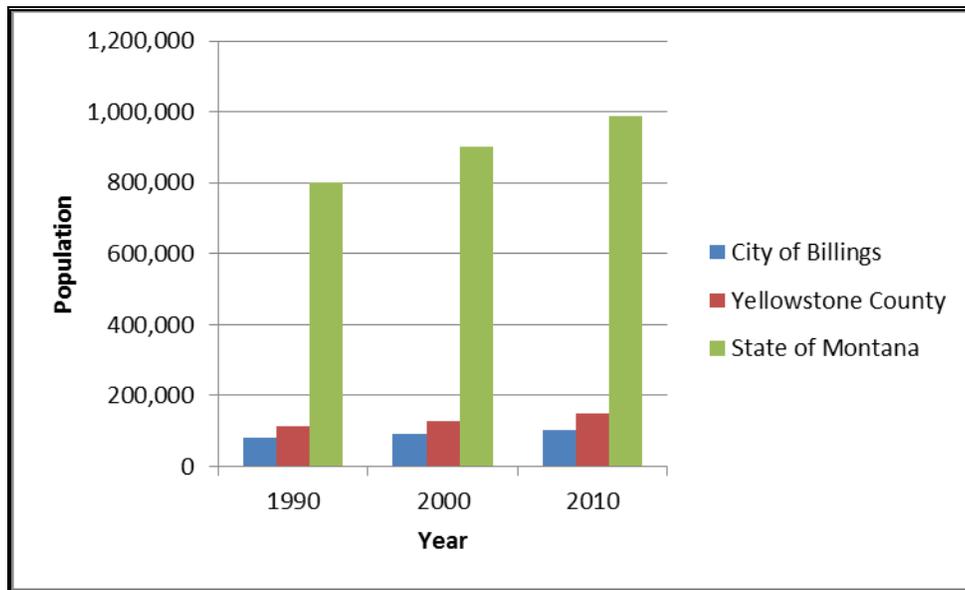
REGION/CITY DATA/TRENDS

The City of Billings, county seat of Yellowstone County, is located in south central Montana, midway between Seattle, Washington and Minneapolis, Minnesota and 550 miles northwest of Denver, Colorado.

Billings is a transportation hub for Montana which includes Logan International Airport and Greyhound Bus Lines, a transcontinental bus line. Burlington Northern and Montana Rail Link Railroads transport freight to and from the area; passenger rail service is not available. Interstate Highways 90 and 94 intersect at Billings and are supplemented by several other major highways. City buses and taxi services provide local and interurban service throughout the city.

Social Forces

Historical population statistics for Billings, Yellowstone County and Montana according to the U.S. Census Bureau are illustrated in the graph on the following page.



According to estimated census population figures put together by the U.S. Census Bureau, the Montana population increased by 2.60% from 2010 to 2013, Yellowstone County increased by 2.64% and Billings has increased in population by 2.46% over the same time period.

Economic Forces

Billings is Montana’s largest trade and service center and enjoys a diversified business economy for manufacturing, wholesale distribution, retailing, governmental agencies, medical, oil, gas and coal industries and agricultural related businesses. In addition, Billings has a modern regional shopping center located in the western portion of the community. Its department stores and specialty shops attract customers from all parts of the trade area.

Agriculture, tourism and recreation also play a major role in the city’s and area’s economy.

While no one industry is believed to play a decisive role in the future of the city, the Billings economy receives positive impact from the development of oil, gas and coal reserves in eastern Montana, northeastern Wyoming and western North Dakota. In addition, Billings has received economic benefits from the mining activity at the Stillwater Mine located approximately 100 miles southwest of the community. There is renewed interest in coal mining in the Roundup area and the Stillwater Mining operations that could have an impact in the local economy.

The City of Billings has two general hospitals, the Billings Clinic and St. Vincent Hospital, which serve a large population in Montana and northern Wyoming.

Billings has numerous commercial banks, savings banks and credit unions. There are public and private lower educational institutions that include parochial, elementary, middle and high schools with two four-year colleges and a number of vocational and trade schools that offer a wide variety of vocational and technical training.

The major employers in the Billings area according to the Census and Economic Information Center, Montana Department of Commerce are the Federal Government, the Billings Clinic, Billings School District #2, St. Vincent Hospital and Health Center, State of Montana, City of Billings, Better Business Systems, Yellowstone County, Wells Fargo Bank and First Interstate Bank.

Since 1995 the unemployment rate for Yellowstone County has consistently averaged about one percentage point below the state average and has remained well below the national average since at least 1989. The unemployment rate for August 2016 for the nation was reported to be 4.9%, 4.3% for Montana and 3.2% for Yellowstone County.

## Governmental Forces

Billings has a council-manager form of government comprised of the mayor, ten council members and a city manager. The City of Billings Police and Fire departments provide security and fire protection services. All utility services and public transportation are available.

There is a city/county planning department that governs new commercial and residential building developments.

## Environmental Factors

The geography for Billings is a mix of plains and mountains. The city is situated 3,126 feet above sea level.

The climate is semi-arid with low year-round humidity with moderate annual precipitation and temperatures.

## Trends

The economy is projected to keep expanding. Renewed interest in mining operations in the Roundup and Stillwater areas has some long-term employment growth potential.

The general retail market in the central business district is not as strong as in previous years. The trend has been towards specialty retail establishments. There are several street level retail rental suites in the “prime” downtown area that are available for lease. There has been an increase in development activity with respect to renovation of existing facilities into mixed use apartment, retail and/or office buildings as evidenced by the current renovation of the Babcock Building located at the southwest corner of North Broadway and 2<sup>nd</sup> Avenue North and the renovation of the Northern Hotel located at the southeast corner of North Broadway and 1<sup>st</sup> Avenue North. In addition, a new Federal Courthouse located along 2<sup>nd</sup> Avenue North just east of North 27<sup>th</sup> Street, a Federal office building at 4<sup>th</sup> Avenue North and North 20<sup>th</sup> Street, a new bank and office building at the northwest corner of North Broadway and 4<sup>th</sup> Avenue North and a public library at the southwest corner of 6<sup>th</sup> Avenue North and North Broadway have been completed. The former Greyhound Bus Station located at the southwest corner of North 25<sup>th</sup> Street and 1<sup>st</sup> Avenue North has been renovated and converted into an entertainment venue. A new office/retail and parking garage has been completed at the northeast corner of North Broadway and Montana Avenue. In addition, a large office, retail, hotel and convention center and apartment complex to be developed in the downtown area is in the planning stages.

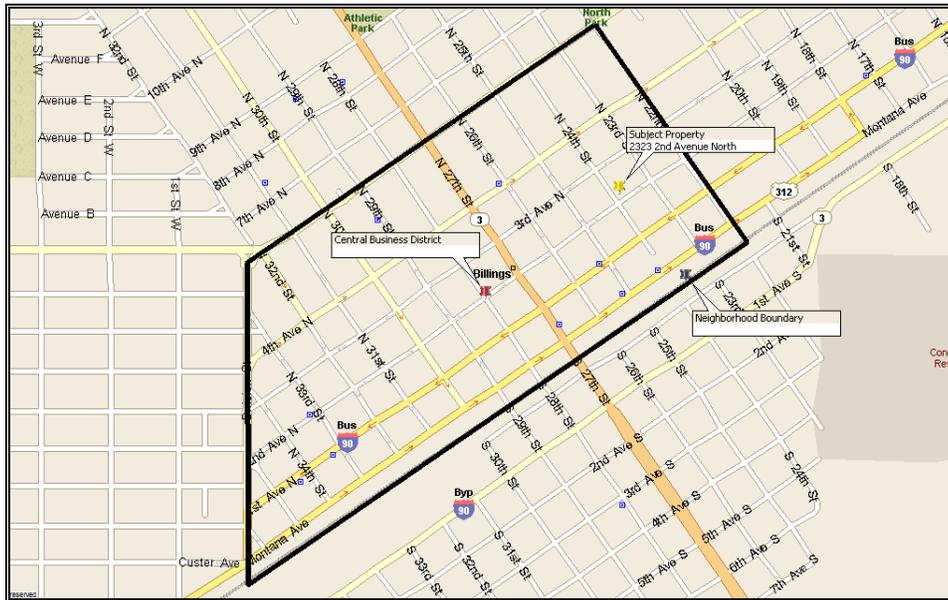
There has been sporadic commercial and residential development in the Billings Heights, Lockwood and west/southwest Billings areas. There continues to be strong retail development along King Avenue West in the Montana Sapphire Subdivision and around the Shiloh Road/I-90 Interchange in addition to an increase in new commercial development activity taking place in the TransTech Subdivision north of the Shiloh Road/I-90 Interchange.

The multi-family market has remained stable as additional supply has been added with vacancy rates reported to be in the range from 0% to 5%. Landlords and leasing agents report that apartment rental rates are increasing.

There was a slowdown in new single-family residential development including demand for homes at the upper end of the value range starting in spring/summer of 2008 and continues today. Tightening credit standards has also had an impact on demand. On the negative side, due to a slowdown in the Bakken oil field activity in North Dakota and eastern Montana, there has been a decrease in demand for truck/trailer repair and service and demand for large warehouse/shop space to provide support services for Bakken oil drilling equipment and personnel. In addition, there has been an increase in the amount of professional office space available for lease in the community. Local residential real estate appraisers report that the residential home market is still good.

Overall, the economic outlook for the immediate and foreseeable future for Billings and the general vicinity is positive. Household income and population are expected to grow at modest, sustainable rates.

NEIGHBORHOOD MAP



NEIGHBORHOOD DATA/TRENDS

The boundaries of the subject neighborhood are 6<sup>th</sup> Avenue North (N), Division Street (W), railroad tracks (S) and North 22<sup>nd</sup> Street (E). The subject property is located near the middle of the designated neighborhood’s easterly boundary and approximately four blocks east of the central business core of the downtown area.

Access to the neighborhood is provided from Montana Avenue, 2<sup>nd</sup> and 4<sup>th</sup> Avenues North and Grand Avenue from the west, North/South 27<sup>th</sup> Streets from the north and south, North 30<sup>th</sup> Street from the north and 1<sup>st</sup>, 3<sup>rd</sup> and 6<sup>th</sup> Avenues North from the east. In addition, there are numerous east/west and north/south collector streets that provide access to the neighborhood. The South 27<sup>th</sup> Street/I-90 Interchange is located approximately 1¼ miles southeast of the southerly neighborhood boundary.

Utilities include public water and sewer, natural gas, electricity and telephone services. The utilities appear adequate to serve the needs of the various commercial and residential properties in the neighborhood.

Police and fire protection and public transportation are available.

Typical occupancies include general commercial, hotels and motels, casinos/lounges/restaurants, retail stores, financial institutions, medical/professional office, service, apartments, residential/commercial condominiums and surface and structural parking facilities. There are also older single and multi-family properties dispersed throughout the neighborhood. The commercial and residential structures reflect a wide mix of ages and design.

## Trends

My investigation of the subject neighborhood indicates that it appears to be in a revitalization stage. The neighborhood was originally developed 70 to 80 years ago as the central business district and residential area of the community. The current trend is for the renovation/remodeling of existing structures into office, specialty retail and restaurant establishments including the conversion of smaller residential properties into surface parking lots. Those areas on the fringe of the subject neighborhood have remained static with little development or sales activity to date.

A new Federal Courthouse, a federal office building, an office/bank facility, a public library and parking/office/retail structure have recently been completed. The Babcock Building and the Northern Hotel have been extensively renovated and a large apartment, hotel and convention center, office, parking garage and retail complex to be located in the downtown area is in the planning stages.

On the negative side, there are several retail and office buildings in the prime downtown area that have rental suites available for lease.

In conclusion, the economy of the central business district does not appear as strong as in previous years, however, there is still interest in the downtown area as evidenced by the renovation/remodeling and sales of existing buildings in the central business district.

**PROPERTY DATA**

**TAX AND ASSESSMENT DATA**

The Yellowstone County Assessor’s records for the subject property are illustrated in the table below. The taxes do not include any furniture, fixtures and equipment (FF&E).

<b>AD VALOREM TAX INFORMATION</b>		
Code/Classification	Market Value	2015 Taxes
A00402		
Land Value	\$119,175.00	
Improvement Value	<u>\$ 8,920.00</u>	
Total Value	\$128,095.00	\$2,047.61
A00412		
Land Value	\$119,175.00	
Improvement Value	<u>\$ 0.00</u>	
Total Value	\$119,175.00	\$1,873.45
A00413		
Land Value	\$119,175.00	
Improvement Value	<u>\$ 0.00</u>	
Total Value	\$119,175.00	\$1,932.39
A00414		
Land Value	\$ 145,425.00	
Improvement Value	<u>\$1,307,175.00</u>	
Total Value	\$1,452,600.00	\$19,510.69

Special Assessments

The appraiser has no actual knowledge nor has received any notice of any other special assessments levied or about to be levied against all or any part of the subject property.

**ZONING**

The subject property is situated within the Central Business District (CBD) zoning district.

On-site Parking

There are no on-site parking requirements for properties situated in the CBD. However, there are approximately 66 on-site parking spaces on the northerly and easterly sides of the property counted during the field observation. There is street parking available along North 24<sup>th</sup> and North 23<sup>rd</sup> Streets and along 2<sup>nd</sup> Avenue North. In addition, there are several surface parking lots in minimal walking distance to the subject property.

SUBJECT PICTURES



North and west elevations of the subject building looking to the southeast from near northwest corner of site.  
Taken by George L. Simek on 10/14/2016



South and west elevations of the subject building looking to the northeast from near southwest corner of site.  
Taken by George L. Simek on 10/14/2016



South and east elevations of the subject building looking to the northwest from near southeast corner of site.  
Taken by George L. Simek on 10/14/2016



East and north elevations of the subject building looking to the southwest from near northeast corner site.  
Northerly parking lot (Site 2) in foreground of photograph.  
Taken by George L. Simek on 10/14/2016



Northerly parking lot (Site 2) looking to the east from North 24<sup>th</sup> Street entrance to lot.  
Taken by George L. Simek on 10/14/2016



Easterly parking lot (Site 1) looking to the west from North 23<sup>rd</sup> Street entrance to lot.  
Taken by George L. Simek on 10/14/2016



Looking to the south along the east side of North 24<sup>th</sup> Street from near northwest corner of northerly parking lot.  
Subject property at left center of photograph.  
Taken by George L. Simek on 10/14/2016



Looking to the north along the east side of North 24<sup>th</sup> Street from near southwest corner of subject property.  
Subject property at right center of photograph.  
Taken by George L. Simek on 10/14/2016



Looking to the east along the north side of 2<sup>nd</sup> Avenue North from near southwest corner of subject property.  
Subject property at left center of photograph.  
Taken by George L. Simek on 10/14/2016



Looking to the west along the north side of 2<sup>nd</sup> Avenue North from near southeast corner of easterly parking lot.  
Subject property at right center of photograph  
Taken by George L. Simek on 10/14/2016



Looking to the north along the west side of North 23<sup>rd</sup> Street from southeast corner of easterly parking lot.  
Subject property at lower left corner of photograph.  
Taken by George L. Simek on 10/14/2016



Looking to the south along the west side of North 23<sup>rd</sup> Street from northeast corner of easterly parking lot.  
Subject property at right center of photograph.  
Taken by George L. Simek on 10/14/2016



Private lower level peripheral office area (typical).  
Taken by George L. Simek on 10/18/2016



Employee "bull pen" office area (typical).  
Taken by George L. Simek on 10/18/2016



Employee work area (typical).  
Taken by George L. Simek on 10/18/2016



Conference area (typical).  
Taken by George L. Simek on 10/18/2016



First floor client reception area.  
Taken by George L. Simek on 10/18/2016



Stairs leading to upper and lower level office areas.  
Taken by George L. Simek on 10/18/2016



Employee break room and lounge area.  
Taken by George L. Simek on 10/18/2016



Men's restroom (typical).  
Taken by George L. Simek on 10/18/2016



Women's restroom area (typical).  
Taken by George L. Simek on 10/18/2016



Basement employee lounge area.  
Taken by George L. Simek on 10/18/2016



Mechanical area.  
Taken by George L. Simek on 10/18/2016



Fire suppression water supply system.  
Taken by George L. Simek on 10/18/2016

SITE MAP



For purposes of this analysis, the subject property will be separated into three separate sites. Site 1, outlined in red, is the easterly parking lot, Site 2, outlined in yellow, is the northerly parking lot and Site 3, outlined in blue, has an office building situated on it and also has a small parking lot near the northwest corner of the site.

Site 1 – This site is a rectangular shaped corner parcel located at the northwest corner of 2<sup>nd</sup> Avenue North and North 23<sup>rd</sup> Street. The site has 50’ of frontage along the west side of North 23<sup>rd</sup> Street and 140’ of frontage along the north side of 2<sup>nd</sup> Avenue North with a gross site area of 7,000 SF. There are curb, gutters and sidewalks present. The northerly boundary abuts private property and a paved public alley runs along the westerly boundary. The site has good visibility from North 23<sup>rd</sup> Street and 2<sup>nd</sup> Avenue North. Access to the site is from one curb cut on North 23<sup>rd</sup> Street and from the public alley.

Site 2 – This site is a rectangular shaped interior parcel located along the east side of North 24<sup>th</sup> Street. The site has 100’ of frontage along the east side of North 24<sup>th</sup> Street. The northerly and southerly boundaries abut private property and a paved public alley runs along the easterly boundary. The site has a gross area of 14,000 SF. There are curb, gutters and sidewalks present. The site has good visibility from North 24<sup>th</sup> Street. Access to the site is from one curb cut on North 24<sup>th</sup> Street and from the public alley.

Site 3 – This site is a rectangular shaped corner parcel located at the northeast corner of 2<sup>nd</sup> Avenue North and North 24<sup>th</sup> Street. The site has 100’ of frontage along the east side of North 24<sup>th</sup> Street and 140’ of frontage along the north side of 2<sup>nd</sup> Avenue North with a gross site area of 14,000 SF. There are curb, gutters and sidewalks present. The northerly boundary abuts the northerly parking lot (Site 2) and a paved public alley runs along the easterly boundary. The site has good visibility from North 24<sup>th</sup> Street and 2<sup>nd</sup> Avenue North. Access to the site is from one curb cut on North 24<sup>th</sup> Street.

North 23<sup>rd</sup> and North 24<sup>th</sup> Streets are paved two way collector streets and 2<sup>nd</sup> Avenue North is a paved two lane one-way east bound minor arterial in this area of the community. The three sites are generally level and at grade with adjacent properties and streets.

All utility services are available to the three sites. There are overhead power/telephone lines that run along the east side of the public alley.

According to FIRM Map No. 30111C1270E, the sites are not situated within a designated flood zone. Yellowstone County is located within Seismic Zone 1.

The physical inventory of the subject site did not reveal any other visual easements and/or restrictions, encroachments, nuisances, hazards, detrimental influences or private deed restrictions that would impact site utilization or value.

## Site 1

Site Improvements –

There are trees, grass, underground sprinkler system, storm drain and concrete walk ways. There are 24 paved and striped parking spaces with concrete parking bumpers.

Structural Improvements – None

## Site 2

Site Improvements –

There are trees, grass, underground sprinkler system, storm drain and concrete walk ways and curbing. There are 28 paved and striped parking spaces.

Structural Improvements – None

## Site 3

Site Improvements –

There are trees, grass, bushes, underground sprinkler system, storm drain and concrete walk ways and curbing. There are 14 paved and striped parking spaces.

Structural Improvements –

FOOTING/FOUNDATION:	Concrete.
FLOOR STRUCTURE:	Concrete/wood.
FLOOR COVER:	Carpeting, sheet/vinyl tile, ceramic tile and concrete.
FRAME:	Wood frame.
EXTERIOR WALL:	Natural brick and painted wood siding. Exterior doors are metal in metal frames and wood/glass in wood frames. Windows are double/single pane fixed, awning and casement in wood frames.
PARTITIONS:	Wood stud framing with painted concrete block/sheetrock, vinyl wallpaper, wood paneling and ceramic tile wainscoting. Doors are wood/glass in wood frames.
CEILING:	Fixed and lay-in acoustical tiles, painted sheetrock, exposed wood beams with florescent and incandescent lighting.
ROOF STRUCTURE:	Gable.
ROOF COVER:	Built-up and membrane.
HVAC:	Gas fired forced air heat and air conditioning.
ELECTRICAL:	All wiring systems assumed to be in compliance with applicable federal, state and local codes. The number and type of fixtures and outlets are typical for the quality of construction and occupancy.
PLUMBING:	There are men's and women's restrooms on the upper and lower levels with a combination of sinks, urinals and toilets in each. In addition, there is a shower and sauna area on the upper level. The plumbing is typical for the quality of construction and occupancy.
INSULATION:	Yes, batt insulation.
INTERIOR FINISH:	Good.

QUALITY/CONDITION: The overall quality of the materials and workmanship is good quality construction in good condition overall with minor signs of deferred maintenance. There are areas on the exterior wood siding that reflect chipped/peeling paint and wood decay.

COMMENTS: The office facility has a wet fire suppression system. There is a partial basement with storage and mechanical areas.

## HIGHEST AND BEST USE

In appraisal practice the concept of highest and best use represents the premise upon which value is based. The four criteria the highest and best use must meet are 1) legal permissibility, 2) physical possibility, 3) financial feasibility and 4) maximum profitability. Highest and best use analysis involves assessing the subject as if vacant and as improved.

### Vacant Land Highest and Best Use

The sites are situated within the Central Business District (CBD) Zoning District. A wide variety of general commercial, retail, service, medical and professional office, restaurants, lounges, hotels/motels, banking and financial institutions, vehicle parking and multi and single-family uses are allowed.

The subject sites are not located within a designated flood hazard zone. Yellowstone County is located within Seismic Zone 1.

The appraiser is not aware of any other private covenants, conditions or restrictions (CCR's), nuisances, hazards or detrimental influences that run with the land. **However, a survey and title report should be consulted for final determination; neither of these documents has been supplied to the appraiser.**

Site 1 – The site is a corner parcel with a gross area of 7,000 SF. All utility services to the site are available. The parcel has good visibility and convenient access. There are curb, gutters and sidewalks present.

Site 2 – This site is an interior parcel with a gross area of 14,000 SF. All utility services to the site are available. The parcel has good visibility and convenient access. There are curb, gutters and sidewalks present.

Site 3 – The site is a corner parcel with a gross area of 14,000 SF. All utility services to the site are available. The parcel has good visibility and convenient access. There are curb, gutters and sidewalks present.

While soils were not independently investigated, no apparent adverse conditions with respect to topography and soil bearing characteristics were observed at the time of the visual inventory. Soils were not independently investigated and no opinion as to the suitability for any specific use has been rendered by the appraiser. In summary, there are no obvious physical deficiencies that preclude proper development of the sites.

The nature of existing improvements in the area reflect restaurants, casinos, medical/professional office, retail, service, financial institutions, single and multi-family residential structures and surface parking uses. The prime retail area of the central business district is located approximately five blocks to the west of the subject sites.

The Northern Hotel located at the southeast corner of North Broadway and 1<sup>st</sup> Avenue North and the Babcock building located at the southwest corner of North Broadway and 2<sup>nd</sup> Avenue North have been renovated. In addition, a new Federal Courthouse located along 2<sup>nd</sup> Avenue North just east of North 27<sup>th</sup> Street, a Federal office building at 4<sup>th</sup> Avenue North and North 20<sup>th</sup> Street, a new bank and office building at the northwest corner of North Broadway and 4<sup>th</sup> Avenue North and a public library at the southwest corner of 6<sup>th</sup> Avenue North and North Broadway have been developed. The former Greyhound Bus Station located at the southwest corner of North 25<sup>th</sup> Street and 1<sup>st</sup> Avenue North has been renovated and converted into an entertainment venue. A new office/retail and parking garage has been completed at the northeast corner of North Broadway and Montana Avenue and 112 North Broadway has been renovated into two retail spaces. A large apartment, hotel and convention center, office, retail and parking structure to be located in the downtown area is in the planning stages.

Developers and leasing agents of commercial space in the central business district report that a major concern expressed from potential tenants in the downtown area is limited parking.

There are professional office, service, restaurants/lounge/casinos, single and multi-family residential structures and surface parking lots in close proximity to the subject sites that appear to be successful. On the other hand, there are several street level retail/office suites in the prime downtown area that are vacant and available for lease. The subject sites are on the fringe of the CBD area and are not situated along major arterials, therefore, retail uses may not be financially feasible.

It is concluded that the maximally productive use of the subject sites as vacant may be for service or professional office uses. Alternatively, use as surface parking lots on an interim basis or assemblage with adjacent properties may be maximally productive.

### Improved Property Highest and Best Use

The sites are situated within the CBD Zoning District. A wide variety of general commercial, retail, service, medical and professional office, restaurants, lounges, hotels/motels, banks and financial institutions, vehicle parking and multi and single-family uses are allowed.

Refer to the following table for a summary of zoning requirements for properties situated in the CBD Zoning District:

<b>Zoning Requirements</b>	
<b>CBD Zoning Classification</b>	
Minimum Lot Area in SF:	NA
Minimum Yard Requirements	
Front	NA
Side	NA
Side Adjacent to Street	NA
Rear	NA
Maximum Height	NA
Maximum Lot Coverage in Percent	NA

The CBD zoning classification is intended to primarily accommodate stores, hotels, governmental and cultural centers and service establishments at the central focal point of the city's arterial and transportation system which can conveniently serve the population of the community with a varied and specialized selection of goods and services. The CBD emphasis is on larger scale buildings and specialty stores.

Sites 1 and 2 are surface parking lots and are in conformity with other surface parking lots in the downtown area and appear to perform their function well.

Site 3 consists of a professional office facility with a gross area of 17,926 SF± with 2,112 SF of basement office, storage and mechanical room areas and is in conformity with other office properties in the area.

Surrounding improvements include professional office, financial institutions, multi and single family structures, service, restaurant and surface parking lots.

The most recent new commercial developments have been a new public library located at the southwest corner of North Broadway and 6<sup>th</sup> Avenue North and a retail/office/parking structure located at the northeast corner of North Broadway and Montana Avenue. The building located at 112 North Broadway has been recently renovated into two retail suites. The desirable retail locations are situated within a one block radius of the intersection of North Broadway and 2<sup>nd</sup> Avenue North. The subject property is situated on the fringe of the prime CBD but has convenient access to hospitals, Montana State University-Billings, shopping centers and transportation facilities which may be desirable to those people who work in the downtown area.

There is vacant office and retail space in the downtown area. Developers and leasing agents of commercial space in the downtown area report that a major concern expressed from potential tenants is limited parking. However, there are several parking garages and surface parking within walking distance.

There are office facilities in this area of the community that appear to be successful.

The subject property is good quality construction professional office space that is in good condition overall.

It is concluded that the maximally productive use of the subject property as improved may be the continued use as a professional office facility.

**PROPERTY VALUATION**

## THE VALUATION PROCESS

The valuation process is a systematic procedure which involves defining the problem, taking a physical inventory of the subject property, conducting a highest and best use analysis, selecting, collecting and analyzing the necessary data, reconciling the value indications and reporting the final value estimate(s).

Appraisers usually consider three approaches to estimating the market value of real property, the cost approach, income capitalization approach and the sales comparison approach.

The Cost Approach assumes that an informed buyer would pay no more than the cost of developing a similar property with the same utility. This approach is applicable when the improvements are relatively new and represent the highest and best use of the land or when the property has unique or specialized improvements for which there are limited or no sales or income/expense data from comparable properties.

The Income Capitalization Approach reflects the market's perception of a relationship between the potential income a property can generate and its market value. This approach converts the anticipated net operating income from the property into a value indication through capitalization. The methods used to determine a value indication are direct capitalization and/or a discounted cash flow analysis. This approach is generally used in appraising income producing properties.

The Sales Comparison Approach assumes that an informed buyer would pay no more for a property than the cost of purchasing another existing property with the same utility. This approach is appropriate when there is an active market with sufficient and reliable data. The Sales Comparison Approach is less reliable in an inactive market or when estimating the value of a property for which no comparable data is available. The Sales Comparison Approach is often relied upon for owner-user properties.

Reconciliation of the various approaches utilized to determine a value indication of a property into a conclusion of value is based on an evaluation of the quality and quantity of data available for each approach and the applicability of each approach to the property being appraised.

### Adjustments

Comparable land and building sales and rent comparables have been considered herein. Adjustments have been made reflecting anticipated market reaction to those items of significant variation between the subject and the comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of the subject. If a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

Specific dollar amounts or percentage adjustments have been utilized whenever possible. When specific adjustments cannot be extracted from the available data, qualitative analysis was utilized in estimating the value of the subject property. Qualitative analysis is a technique used to develop a supportable or defensible opinion of value. It is appropriate when one or more elements of comparison are known to affect value, but data are insufficient to estimate a specific lump sum or percentage adjustment. It is not a shortcut to avoid the extraction of market-derived data.

### VALUATION METHODS SELECTED

The following traditional valuation methods have been selected as being appropriate for estimating the defined value of the subject property.

Cost Approach		Income Capitalization Approach	X	Sales Comparison Approach	X
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A land value estimate for Site 3 will be determined. A land value estimate for Sites 1 and 2 will not be determined; they will be valued as stand-alone surface parking lots.

LAND/SITE VALUATION

The sales comparison approach using the price per square foot of gross site area for estimating the land value of Site 3 lot will be utilized. Four sales were identified and analyzed.

LAND SALES LOCATION MAP



Land Sale 1 is a corner lot located at the northeast corner of 1<sup>st</sup> Avenue North and North 29<sup>th</sup> Street. The site is utilized as a surface parking lot for Western Security Bank employees. The improvements had an estimated contributory value of \$1.00 SF of gross site area. It is reported that the buyer wants to develop an office building on the site.

Land Sale 2 is a corner site located at the northeast corner of 1<sup>st</sup> Avenue North and North 24<sup>th</sup> Street. There is a 19,614 SF building on the site that is in poor condition overall. The highest and best use of the property would be to raze the improvements and redevelop the site. In addition, there is a 7,000 SF surface parking lot along the northerly side of the building that is included in the sale price. The buyer purchased the property for the land, however, plans for the site are unknown. Demolition costs are estimated at \$59,000 and the parking lot improvements have an estimated contributory value of \$1.00 SF.

Land Sale 3 is an interior lot located on the north side of Montana Avenue between North 27<sup>th</sup> and North 28<sup>th</sup> Streets. This is the parking lot for the Windsor Court office building and Walkers Grill. The site improvements were developed in 2006 and were in good condition overall with an estimated contributory value of \$52,500. This site has been assembled with the adjacent properties by the City of Billings and developed with a new parking garage and office/retail complex.

Land Sale 4 is an interior lot located on the west side of North 27<sup>th</sup> Street just south of 1<sup>st</sup> Avenue North. This site is utilized as a surface parking lot. The buyer owns the property adjacent to the north and reports that he paid above market for the property. The parking lot improvements had a contributory value of \$1.00 SF of site area.

Refer to the following table for a direct comparison summary:

<b>PayneWest 14,000 SF Office Building Site</b>					
Item	Subject	Land Sale 1	Land Sale 2	Land Sale 3	Land Sale 4
Sale Price		\$882,000	\$360,000	\$410,000	\$200,000
Financing		Cash	Cash	Cash	Cash
Adjustment		\$0	\$0	\$0	\$0
Conditions of Sale		Paving	Paving/Demolition	Paving	Paving
Adjustment		(\$21,000)	\$52,000	(\$52,500)	(\$7,000)
Date of Sale	2/23/2016	8/14/2014	3/23/2012	5/4/2011	4/30/2003
Adjustment		\$0.00	\$23,677	\$28,161	\$52,335
Adjusted Sale Price		\$861,000	\$435,677	\$385,661	\$245,335
Exposure Time		NA	NA	NA	NA
Size	14,000 SF	21,000 SF	21,000 SF	9,750 SF	7,000 SF
Sale Price Per SF Site Area		\$41.00 SF	\$20.75 SF	\$39.55 SF	\$35.05 SF
<b>DIRECT COMPARISON</b>					
Location	Average	Superior	Superior	Superior	Superior
Adjustment		(\$24.19 SF)	(\$2.08 SF)	(\$23.33 SF)	(\$20.68 SF)
Corner Site	Yes	Similar	Similar	Inferior	Inferior
Adjustment		=	=	+	+
Size	14,000 SF	21,000 SF	21,000 SF	9,750 SF	7,000 SF
Adjustment		\$0.70 SF	\$0.70 SF	(\$0.43 SF)	(\$0.70 SF)
Indicated \$/SF		\$17.51 SF	\$19.37 SF	\$15.79 SF	\$13.67 SF

Adjustments

Financing – All of the sales were reported to be cash or cash equivalent transactions; no adjustments are warranted.

Conditions of Sale – Land Sales 1, 3 and 4 had parking lot improvements that had contributory values of \$21,000, \$52,500 and \$7,000 respectively that have been deducted from the sale prices. Land Sale 2 is an extraction. The demolition costs must be added to the sale price and the contributory value of the surface parking lot improvements must be deducted from the sale price in order to determine the value of the “dirt”; \$52,000 (\$59,000 - \$7,000) has been added to the sale price.

Date of Sale – This item of adjustment is for time elapsed between the date of a sale and the effective date of valuation. The sales span a time frame from 4/30/2003 to 8/14/2014 or up to 154 months prior to the effective date of valuation.

Analysis of two sale/resale sites between 2003 and 2014 in the downtown area suggest an appreciation rate in the range of 0.15% to 0.21% per month. Due to the limited number of vacant sites available to be developed in the downtown area and the interest in the downtown area, the upper end of the value range at 0.20% per month will be emphasized. The 0.20% adjustment will be applied to all land sales up to 8/14/2014. There is no market evidence that the appreciation has continued up to the present time. It is assumed that the current market is flat with no appreciation or depreciation in land values. The market condition adjustment is

calculated by taking the difference between the date of the land sale and 8/14/2014 to determine the number of months, then times 0.20% to get the percentage amount of upward adjustment. The reported sale price of the land sale less the contributory value of the site improvements plus any demolition costs is multiplied by the percentage of adjustment to obtain a dollar amount of adjustment. Land Sales 1, 2, 3 and 4 have been adjusted upwards by \$0, \$23,677, \$28,161 and \$52,335 respectively.

Location – The subject site is located at the northeast corner of North 24<sup>th</sup> Street and 2<sup>nd</sup> Avenue North approximately five blocks east of the prime CBD. Land Sales 1, 3 and 4 are located in close proximity to the prime CBD, superior to the location of the subject property; downward adjustments are warranted. Land Sale 2 is located within approximately one block south of the subject property, similar to the subject property with respect to proximity to the CBD, however, an adjustment for being situated along a main arterial may be warranted. The location adjustment for proximity to the CBD is determined by comparing Land Sale 1 (\$41.00 SF) to Land Sale 2 (\$20.75 SF). Comparing \$41.00 SF to \$20.75 SF suggests a downward adjustment of 49%. There is an additional location adjustment to consider. The subject site is not situated along a major arterial similar to 1<sup>st</sup> Avenue North, Montana Avenue or North 27<sup>th</sup> Street; an additional downward adjustment may be warranted. Analyzing a pair of land sales, one situated along an arterial similar to 1<sup>st</sup> Avenue North and the other situated along a street similar to 2<sup>nd</sup> Avenue North suggests a downward adjustment around 10%. The total location adjustment for Land Sales 1, 3 and 4 will be 59%. The location adjustment for Land Sale 2 will be 10% only since it is situated along 1<sup>st</sup> Avenue North. Land Sales 1, 3 and 4 have been adjusted downwards by \$24.19 SF ( $\$41.00 \text{ SF} \times 0.59 = \$24.19 \text{ SF}$ ), \$23.33 SF and \$20.68 SF respectively. Land Sale 2 has been adjusted downwards by \$2.08 SF ( $\$20.75 \text{ SF} \times 0.10 = \$2.08 \text{ SF}$ ).

Corner Site – The subject site is a corner parcel. Corner sites increase visibility and/or access, superior to interior sites. Land Sales 1 and 2 are corner sites, similar to the subject site; no adjustments are warranted. Land Sales 3 and 4 are interior sites, inferior to the subject site; upward adjustments may be warranted.

Size – Smaller sites typically have higher square foot prices. Land Sales 1 and 2 are larger than the subject site with respect to size; upward adjustments are warranted. Land Sales 3 and 4 are smaller than the subject site; downward adjustments are warranted. Analysis of land sales in the downtown area suggests an adjustment of \$0.0001 SF for difference in size. The adjustment is calculated by taking the difference between the sale's site size and the subject's site size times \$0.0001 SF. Refer to the grid for the amount of size adjustments for each land sale.

## Final Correlation and Conclusion of Land Value

The indicated value range is \$13.67 SF to \$19.37 SF with a mean of \$16.59 SF and median of \$16.65 SF. The low end of the range is reflected by Land Sale 4 which is the most dated sale and will not be emphasized.

The narrowed range is from \$15.79 SF to \$19.37 SF with a mean of \$17.56 SF and median of \$17.51 SF. Land Sale 3 is part of an assemblage of adjacent lots. There may have been some buyer motivation associated with this lot due to the assemblage with adjacent lots. This sale will not be emphasized.

The narrowed range is from \$17.51 SF to \$19.37 SF with a mean and median of \$18.44 SF.

It is not clear where the value of the subject site should fall in the range between \$17.51 SF and \$19.37 SF. Land Sale 1 required a large downward adjustment for location while Land Sale 2 required a small downward adjustment for location. Both sites are corner lots, similar to the subject site and both required the same size adjustment. It is concluded, emphasizing Land Sale 2, a value near the upper end of the range at \$19.00 SF between \$17.51 SF and \$19.37 SF is reasonable and supportable.

The estimated market value of the subject lot is  $14,000 \text{ SF} \times \$19.00 \text{ SF} = \$266,000$ .

## COST APPROACH

The subject property is utilized as an office facility that was developed in 1959 and has been renovated and maintained over the years. The Cost Approach would require estimating the effective age of the improvements in order to determine the amount of depreciation to apply to the reconstruction cost new. The Cost Approach is a valid indicator of value when the improvements are new construction, are special use properties or if there are no sales or leased properties available to analyze. There are limited sales and income/expense data available with which to determine a value indication by the Income Capitalization and Sales Comparison Approaches. Therefore, a value opinion by the Cost Approach has not been included in this report.

## SALES COMPARISON APPROACH

### Direct Comparison

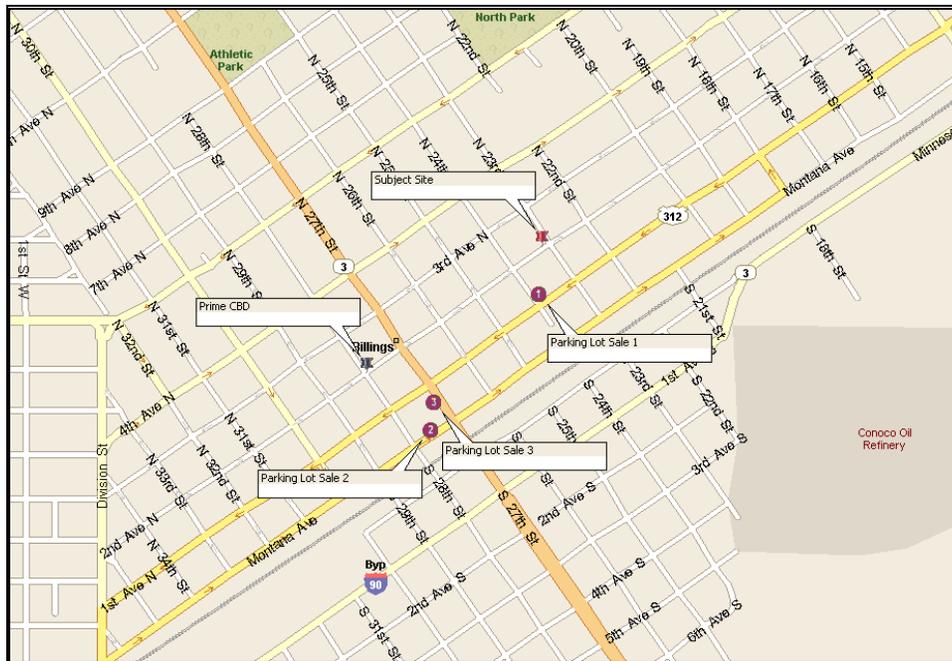
Subject Sites 1 and 2 will be valued as surface parking lots.

In this approach the market value of the subject property is estimated by direct comparison analysis.

#### Site 1 –

The direct comparison analysis compares improved sales to the subject property on a price per square foot of gross site area with the land. The price per SF of gross site area reflects the physical characteristics of a property and care must be taken in the parking lot sale selection process. Three sales of surface parking lots in the downtown area were analyzed. The sales analyzed are Land Sales 2, 3 and 4 utilized in the Land/Site Valuation section of this report.

### 7,000 SF PARKING LOT SALE LOCATION MAP



Parking Lot Sale 1 is a corner site located at the northeast corner of 1<sup>st</sup> Avenue North and North 24<sup>th</sup> Street. There is a 19,614 SF building on the site that is in poor condition overall. The highest and best use of the property would be to raze the improvements and redevelop the site. In addition, there is a surface parking lot along the northerly side of the building that is included in the sale price. The buyer purchased the property for the land, however, plans for the site are unknown. Demolition costs are estimated at \$59,000 and the parking lot improvements have an estimated contributory value of \$1.00 SF.

Parking Lot Sale 2 is an interior lot located on the north side of Montana Avenue between North 27<sup>th</sup> and North 28<sup>th</sup> Streets. This is the parking lot for the Windsor Court office building and Walkers Grill. The site improvements were developed in 2006 and were in good condition overall with an estimated contributory value of \$52,500. This site has been assembled with the adjacent properties by the City of Billings and redeveloped with a new parking garage and office/retail complex.

Parking Lot Sale 3 is an interior lot located on the west side of North 27<sup>th</sup> Street just south of 1<sup>st</sup> Avenue North. This site continues to be utilized as a surface parking lot. The buyer owns the property adjacent to the north and reports that he paid above market for the property. The parking lot improvements had a contributory value of \$1.00 SF of site area.

Refer to the following table for a direct comparison summary:

<b>PayneWest 7,000 SF Parking Lot – Site 1</b>				
Item	Subject	Parking Lot Sale 1	Parking Lot Sale 2	Parking Lot Sale 3
Sale Price		\$360,000	\$410,000	\$200,000
Financing		Cash	Cash	Cash
Adjustment		\$0	\$0	\$0
Conditions of Sale		Demolition	None	None
Adjustment		\$59,000	\$0	\$0
Date of Sale	2/23/2016	3/23/2012	5/4/2011	4/30/2003
Adjustment		\$23,677	\$28,161	\$52,335
Adjusted Sale Price		\$442,677	\$438,161	\$252,335
Exposure Time		NA	NA	NA
Size	7,000 SF	21,000 SF	9,750 SF	7,000 SF
Sale Price Per SF Site Area		\$21.08 SF	\$44.94 SF	\$36.05 SF
<b>DIRECT COMPARISON</b>				
Location	Average	Superior	Superior	Superior
Adjustment		(\$2.11 SF)	(\$26.51 SF)	(\$21.27 SF)
Parking Lot Improvements	Average	Inferior	Superior	Similar
Adjustment		+	-	=
Corner Site	Yes	Similar	Inferior	Inferior
Adjustment		=	+	+
Size	7,000 SF	21,000 SF	9,750 SF	7,000 SF
Adjustment		\$1.40 SF	\$0.28 SF	\$0.00 SF
Indicated \$/SF		\$20.37 SF	\$18.71 SF	\$14.78 SF

## Adjustments

Financing – All of the sales were reported to be cash or cash equivalent transactions; no adjustments are warranted.

Conditions of Sale – Parking Lot Sale 1 is an extraction. The demolition costs must be added to the sale price; \$59,000 has been added to the sale price.

Date of Sale – This item of adjustment is for time elapsed between the date of a sale and the effective date of valuation. The sales span a time frame from 4/30/2003 to 3/23/2012 or up to 154 months prior to the effective date of valuation.

Analysis of two sale/resale sites between 2003 and 2014 in the downtown area suggest an appreciation rate in the range of 0.15% to 0.21% per month. Due to the limited number of vacant sites available to be developed in the downtown area and the interest in the downtown area, the upper end of the value range at 0.20% per month will be emphasized. The 0.20% adjustment will be applied to all sales up to 8/14/2014. There is no market evidence that the appreciation has continued up to the present time. It is assumed that the current market is flat with no appreciation or depreciation in land values. The market condition adjustment for Parking Lot Sales 1, 2 and 3 is the same as determined for respective Land Sales 2, 3 and 4 in the Land/Site Valuation section of this report. Parking Lot Sales 1, 2 and 3 have been adjusted upwards by \$23,677, \$28,161 and \$52,335 respectively.

Location – The subject site is located at the northwest corner of North 23<sup>rd</sup> Street and 2<sup>nd</sup> Avenue North approximately six blocks east of the prime CBD. Parking Lot Sales 2 and 3 are located in close proximity to the prime CBD, superior to the location of the subject property; downward adjustments are warranted. Parking Lot Sale 1 is located approximately one block south of the subject property, similar to the subject property with respect to proximity to the CBD, however, an adjustment for being situated along a major arterial may be warranted. The location adjustment for proximity to the CBD for Parking Lot Sales 2 and 3 is the same as determined in the Land/Site Valuation section of this report, 59%. The location adjustment for Parking Lot 1 will be 10% only since it is situated along 1<sup>st</sup> Avenue North. Parking Lot Sales 2 and 3 have been adjusted downwards by \$26.51 SF ( $\$44.94 \text{ SF} \times 0.59 = \$26.51 \text{ SF}$ ) and \$21.27 SF respectively. Parking Lot Sale 1 has been adjusted downwards by \$2.11 SF ( $\$21.08 \text{ SF} \times 0.10 = \$2.11 \text{ SF}$ ).

Parking Lot Improvements – The subject parking lot is average with respect to parking lot improvements. Parking Lot Sale 1 has only 7,000 SF of parking lot improvements with the remaining 14,000 SF not improved as a paved parking lot, inferior to the subject lot; an upward adjustment may be warranted. Parking Lot Sale 2 was developed in 2006, superior to the subject lot; a downward adjustment is warranted. Parking Lot Sale 3 is similar to the subject lot with respect to parking lot improvements; no adjustment is warranted.

Corner Site – The subject site is a corner parcel. Corner sites increase visibility and/or access, superior to interior sites. Parking Lot Sale 1 is a corner site, similar to the subject site; no adjustment is warranted. Parking Lot Sales 2 and 3 are interior sites, inferior to the subject site; upward adjustments may be warranted.

Size – Smaller sites typically have higher square foot prices. Parking Lot Sales 1 and 2 are larger than the subject site with respect to size; upward adjustments are warranted. Parking Lot Sale 3 is similar to the subject property with respect to size; no adjustment is warranted. The size adjustment is the same as determined in the Land/Site Valuation section of this report; \$0.0001 SF for difference in size. Parking Lot Sales 1 and 2 have been adjusted upwards by \$1.40 SF and \$0.28 SF respectively. Parking Lot Sale 3 warrants no adjustment.

## Final Correlation and Conclusion of Parking Lot Value

The indicated value range is \$14.78 SF to \$20.37 SF with a mean of \$17.95 SF and median of \$18.71 SF. The low end of the range is reflected by Parking Lot Sale 3 which is the most dated sale and will not be emphasized.

The narrowed range is from \$18.71 SF to \$20.37 SF with a mean and median of \$19.54 SF. Parking Lot Sale 1 warrants an additional upward adjustment for the unfinished 14,000 SF which suggests a value greater than \$20.37 SF. Parking Lot Sale 2 warrants a downward adjustment for condition of parking lot improvements and an upward adjustment for no corner influence suggesting a value around \$18.71 SF.

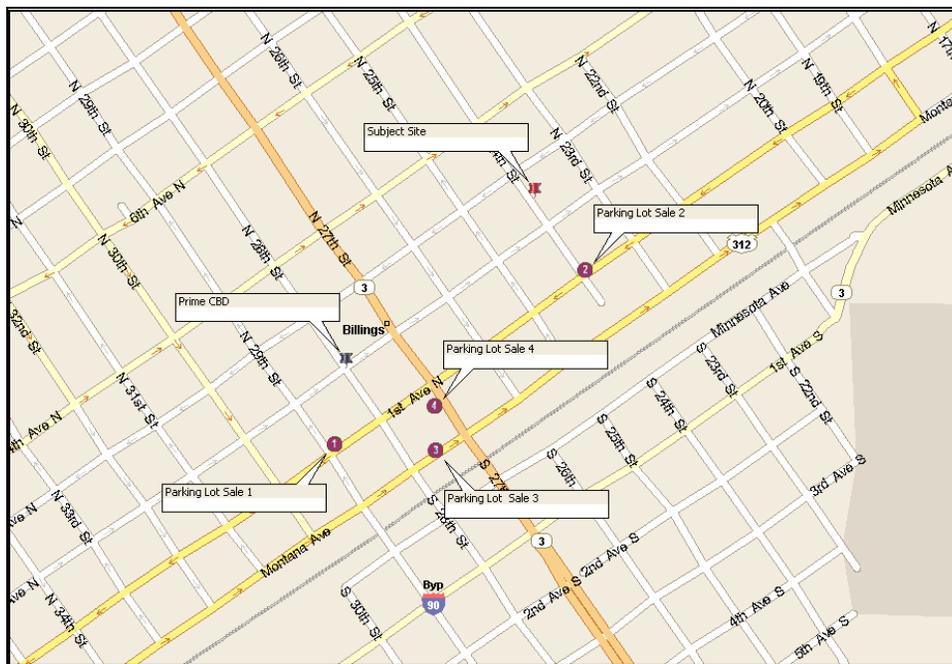
It is not clear where the value of the subject site should fall in the range between \$18.71 SF and \$20.37 SF. Parking Lot Sale 1 is an extraction and requires an addition adjustment for an unfinished 14,000 SF. Little weight will be given to this sale but establishes the upper end of the sale price range. It is concluded, emphasizing Parking Lot Sale 2, a value in the lower half of the range at \$18.50 SF between \$14.78 SF and \$20.37 SF is reasonable and supportable.

The estimated market value of the subject lot (Site 1) is 7,000 SF x \$18.50 SF = \$129,500.

Site 2 –

The direct comparison analysis compares improved sales to the subject property on a price per square foot of gross site area with the land. The price per SF of gross site area reflects the physical characteristics of a property and care must be taken in the parking lot sale selection process. Four sales of surface parking lots in the downtown area were analyzed. The sales analyzed are Land Sales 1, 2, 3 and 4 utilized in the Land/Site Valuation section of this report.

### 14,000 SF PARKING LOT SALE LOCATION MAP



Parking Lot Sale 1 is a corner lot located at the northeast corner of 1<sup>st</sup> Avenue North and North 29<sup>th</sup> Street. The site is utilized as a surface parking lot for Western Security Bank employees. The improvements had an estimated contributory value of \$1.00 SF of gross site area. It is reported that the buyer wants to develop an office building on the site.

Parking Lot Sale 2 is a corner site located at the northeast corner of 1<sup>st</sup> Avenue North and North 24<sup>th</sup> Street. There is a 19,614 SF building on the site that is in poor condition overall. The highest and best use of the property would be to raze the improvements and redevelop the site. In addition, there is a surface parking lot along the northerly side of the building that is included in the sale price. The buyer purchased the property for the land, however, plans for the site are unknown. Demolition costs are estimated at \$59,000 and the parking lot improvements have an estimated contributory value of \$1.00 SF.

Parking Lot Sale 3 is an interior lot located on the north side of Montana Avenue between North 27<sup>th</sup> and North 28<sup>th</sup> Streets. This is the parking lot for the Windsor Court office building and Walkers Grill. The site improvements were developed in 2006 and were in good condition overall with an estimated contributory value of \$52,500. This site has been assembled with the adjacent properties by the City of Billings and developed with a new parking garage and office/retail complex.

Parking Lot Sale 4 is an interior lot located on the west side of North 27<sup>th</sup> Street just south of 1<sup>st</sup> Avenue North. This site is utilized as a surface parking lot. The buyer owns the property adjacent to the north and reports that he paid above market for the property. The parking lot improvements had a contributory value of \$1.00 SF of site area.

Refer to the following table for a direct comparison summary:

<b>PayneWest 14,000 SF Parking Lot - Site 2</b>					
Item	Subject	Parking Lot Sale 1	Parking Lot Sale 2	Parking Lot Sale 3	Parking Lot Sale 4
Sale Price		\$882,000	\$360,000	\$410,000	\$200,000
Financing		Cash	Cash	Cash	Cash
Adjustment		\$0	\$0	\$0	\$0
Conditions of Sale		None	Demolition	None	None
Adjustment		\$0	\$59,000	\$0	\$0
Date of Sale	2/23/2016	8/14/2014	3/23/2012	5/4/2011	4/30/2003
Adjustment		\$0	\$23,677	\$28,161	\$52,335
Adjusted Sale Price		\$882,000	\$442,677	\$438,161	\$252,335
Exposure Time		NA	NA	NA	NA
Size	14,000 SF	21,000 SF	21,000 SF	9,750 SF	7,000 SF
Sale Price Per SF Site Area		\$42.00 SF	\$21.08 SF	\$44.94 SF	\$36.05 SF
<b>DIRECT COMPARISON</b>					
Location	Average	Superior	Superior	Superior	Superior
Adjustment		(\$24.78 SF)	(\$2.11 SF)	(\$26.51 SF)	(\$21.27 SF)
Parking Lot Improvements	Average	Similar	Inferior	Superior	Similar
Adjustment		=	+	-	=
Corner Site	No	Superior	Superior	Similar	Similar
Adjustment		-	-	=	=
Size	14,000 SF	21,000 SF	21,000 SF	9,750 SF	7,000 SF
Adjustment		\$0.70 SF	\$0.70 SF	(\$0.43 SF)	(\$0.70 SF)
Indicated \$/SF		\$17.92 SF	\$19.67 SF	\$18.00 SF	\$14.08 SF

### Adjustments

Financing – All of the sales were reported to be cash or cash equivalent transactions; no adjustments are warranted.

Conditions of Sale – Parking Lot Sale 2 is an extraction. The demolition costs must be added to the sale price; \$59,000 has been added to the sale price.

Date of Sale – This item of adjustment is for time elapsed between the date of a sale and the effective date of valuation. The sales span a time frame from 4/30/2003 to 8/14/2014 or up to 154 months prior to the effective date of valuation.

Analysis of two sale/resale sites between 2003 and 2014 in the downtown area suggest an appreciation rate in the range of 0.15% to 0.21% per month. Due to the limited number of vacant sites available to be developed in the downtown area and the interest in the downtown area, the upper end of the value range at 0.20% per month will be emphasized. The 0.20% adjustment will be applied to all sales up to 8/14/2014. There is no market evidence that the appreciation has continued up to the present time. It is assumed that the current market is flat with no appreciation or depreciation in land values. The market condition adjustment for Parking Lot Sales 1, 2, 3 and 4 is the same as determined for respective Land Sales 1, 2, 3 and 4 in the Land/Site Valuation section of this report. Parking Lot Sales 1, 2, 3 and 4 have been adjusted upwards by \$0, \$23,677, \$28,161 and \$52,335 respectively.

Location – The subject site is located along the east side of North 24<sup>th</sup> Street just north of 2<sup>nd</sup> Avenue north approximately five blocks east of the prime CBD. Parking Lot Sales 1, 3 and 4 are located in close proximity to the prime CBD, superior to the location of the subject property; downward adjustments are warranted. Parking Lot Sale 2 is located approximately one block south of the subject property, similar to the subject property with respect to proximity to the CBD, however, an adjustment for being situated along a major arterial may be warranted. The location adjustment for proximity to the CBD for Parking Lot Sales 1, 3 and 4 is the same as determined in the Land/Site Valuation section of this report, 59%. The location adjustment for Parking Lot 2 will be 10% only since it is situated along 1<sup>st</sup> Avenue North. Parking Lot Sales 1, 3 and 4 have been adjusted downwards by \$24.78 SF ( $\$42.00 \text{ SF} \times 0.59 = \$24.78 \text{ SF}$ ), \$26.51 SF and \$21.27 SF respectively. Parking Lot Sale 2 has been adjusted downwards by \$2.11 SF ( $\$21.08 \text{ SF} \times 0.10 = \$2.11 \text{ SF}$ ).

Parking Lot Improvements – The subject parking lot is average with respect to parking lot improvements. Parking Lot Sale 2 has only 7,000 SF of parking lot improvements with the remaining 14,000 SF not improved as a paved parking lot, inferior to the subject lot; an upward adjustment may be warranted. Parking Lot Sale 3 was developed in 2006, superior to the subject lot; a downward adjustment is warranted. Parking Lot Sales 1 and 4 are similar to the subject lot with respect to parking lot improvements; no adjustment is warranted.

Corner Site – The subject site is an interior parcel. Corner sites increase visibility and/or access, superior to interior sites. Parking Lot Sales 1 and 2 are corner sites, superior to the subject site; downward adjustments may be warranted. Parking Lot Sales 3 and 4 are interior sites, similar to the subject site; no adjustments are warranted.

Size – Smaller sites typically have higher square foot prices. Parking Lot Sales 1 and 2 are larger than the subject site with respect to size; upward adjustments are warranted. Parking Lot Sales 3 and 4 are smaller than the subject property with respect to size; downward adjustments are warranted. The size adjustment is the same as determined in the Land/Site Valuation section of this report; \$0.0001 SF for difference in size. Parking Lot Sales 1 and 2 have been adjusted upwards by \$0.70 SF and \$0.70 SF respectively. Parking Lot Sales 3 and 4 have been adjusted downwards by \$0.43 SF and \$0.70 SF respectively.

Final Correlation and Conclusion of Parking Lot Value

The indicated value range is \$14.08 SF to \$19.67 SF with a mean of \$17.42 SF and median of \$17.96 SF. The low end of the range is reflected by Parking Lot Sale 4 which is the most dated sale and will not be emphasized.

The narrowed range is from \$17.92 SF to \$19.67 SF with a mean of \$18.53 SF and median of \$18.00 SF. Parking Lot Sale 2 warrants an additional upward adjustment for unfinished 14,000 SF which suggests a value greater than \$19.67 SF. Parking Lot Sale 3 warrants a downward adjustment for condition of parking lot improvements suggesting a value around \$18.00 SF and Parking Lot Sale 1 warrants a downward adjustment for corner influence suggesting a value less than \$17.92 SF.

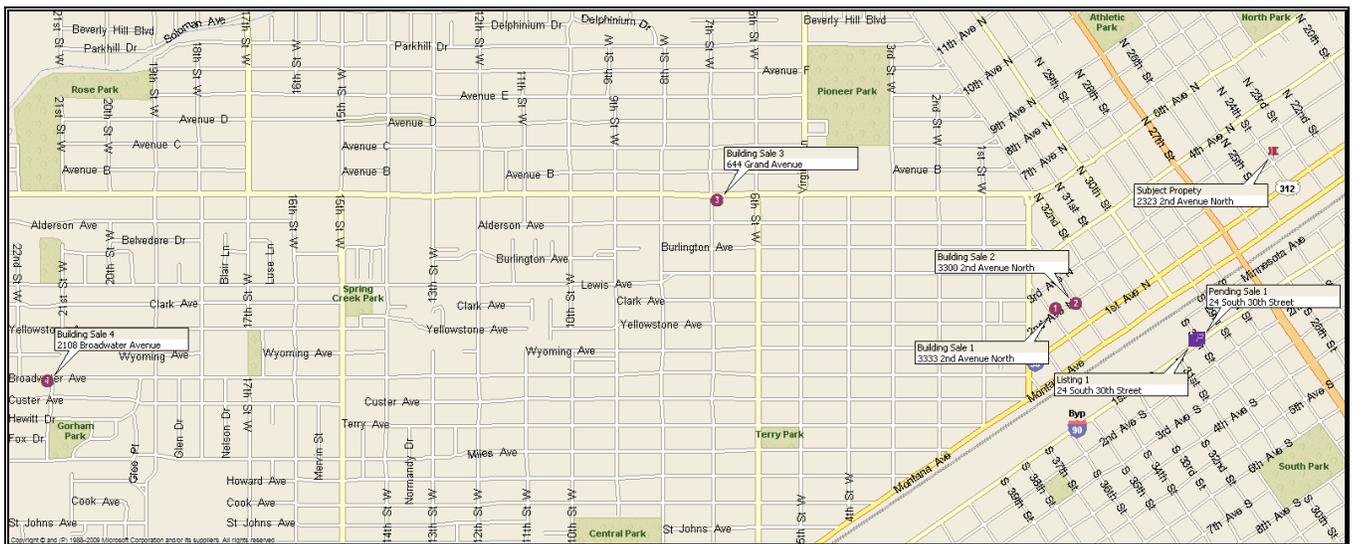
It is not clear where the value of the subject site should fall in the range between \$17.92 SF to \$19.67 SF. Parking Lot Sale 1 is an extraction and requires an addition adjustment for an unfinished 14,000 SF. Little weight will be given to this sale but establishes the upper end of the sale price range. It is concluded that a value near the middle of the range between \$17.92 SF to \$19.67 SF at \$18.00 SF is reasonable and supportable.

The estimated market value of the subject lot (Site 2) is 14,000 SF x \$18.00 SF = \$252,000.

Site 3 –

The direct comparison analysis compares improved sales to the subject property on a price per square foot of gross building area (GBA) basis without the land. The price per SF of GBA reflects the physical characteristics of a property and care must be taken in the building sale selection process. Four sales, one pending sale and one listing of office properties in the community were analyzed.

BUILDING SALE LOCATION MAP



Building Sale 1 – This is a 12,864 SF average plus quality wood frame office building built in 1985. The facility is located at the northeast corner of 2<sup>nd</sup> Avenue North and North 34<sup>th</sup> Street on the fringe of the CBD. This office building is a two story facility with a daylight lower level. The facility was reported to be in good condition at the time of the sale. There are two on-site parking lots associated with this property. The property was approximately 80% vacant at the time of the sale.

Building Sale 2 – This is a 10,008 SF average quality masonry two story office building located at the southwest corner of 2<sup>nd</sup> Avenue North and North 33<sup>rd</sup> Street on the fringe of the CBD. The facility was built in 1959 and was reported to be in average condition at the time of the sale. There is on-site parking situated along the south side of the facility. The property was 94% leased at the time of the sale with a reported cap rate of 8.25%.

Building Sale 3 – This is a 12,090 SF average plus quality wood frame office building located at the southeast corner of Grand Avenue and 7<sup>th</sup> Avenue North. This is a two story building with a daylight walk-out basement area. The facility was developed in 1970 and was reported to be in good condition at the time of the sale. The facility was 100% occupied at the time of the sale. A cap rate of 7.84% was based on the appraiser's reconstructed income and expense analysis. There is on-site parking associated with this property.

Building Sale 4 – This is a 23,776 SF average quality wood frame office building located at the southwest corner of Broadwater Avenue and 21<sup>st</sup> Street West. This is a three story facility with a daylight lower level. The facility was reported to be in average/fair condition at the time of the sale with a substantial amount of deferred maintenance at the time of the sale. The building was approximately 15% vacant at the time of the sale. There is on-site parking associated with this property.

Pending Sale 1 – This is a two story average plus masonry office building located at the northwest corner of South 30<sup>th</sup> Street and 1<sup>st</sup> Avenue South. The building has a gross area of 15,640 SF above grade with a full basement area. The facility was extensively renovated in 2003/2004 with new windows, wood flooring, elevator, fire suppression system and HVAC system and is in good condition overall. There is a substantial amount of on-site parking available with this property. There facility is on the National Register of Historic Places and has been vacant since the renovation in 2003/2004.

Listing 1 – This is the listing of Pending Sale 1.

Refer to the table on the following page for a direct comparison summary.

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**PayneWest Office Building**


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**Building Sales Summary**

Item	Subject	Building Sale 1	Building Sale 2	Building Sale 3	Building Sale 4	Pending Sale 1	Listing 1
Sale Price		\$745,000	\$555,000	\$910,000	\$1,200,000	\$1,000,000	\$1,400,000
Property Rights	Fee Simple	Leased Fee	Leased Fee	Leased Fee	Leased Fee	Fee Simple	Fee Simple
Adjustment		\$0	\$0	\$0	\$0	\$0	\$0
Financing	Normal	Cash	Cash	Cash	1031 Exchange	Cash	Cash
Adjustment		\$0	\$0	\$0	\$0	\$0	\$0
Conditions of Sale	None	None	None	None	None	Normal	Normal
Adjustment		\$0	\$0	\$0	\$0	\$0	\$0
Adjusted Sale Price		\$745,000	\$555,000	\$910,000	\$1,200,000	\$1,000,000	\$1,400,000
Date of Sale	2/23/2016	11/1/2012	7/13/2012	6/5/2007	3/27/2006	Current	Current
Adjustment		\$0	\$0	\$0	\$0	\$0	\$0
Adjusted Sale Price		\$745,000	\$555,000	\$910,000	\$1,200,000	\$1,000,000	\$1,400,000
Exposure Time		Extended	>12 months	NA	>12 months	Extended	Extended
Year Built	1959	1985	1959	1970	1980	1900	1900
Chronological Age in Years	57	31	53	37	26		
Site Size (SF)	14,000 SF	21,220 SF	10,500 SF	31,500 SF	31,905 SF	47,209 SF	47,209 SF
Land Value		\$170,000	\$94,500	\$283,500	\$191,430	\$236,000	\$236,000
Value of Building & Site Improvements		\$575,000	\$460,500	\$626,500	\$1,008,570	\$764,000	\$1,164,000
GBA (SF) Above Grade	17,926 SF	12,864 SF	10,008 SF	12,099 SF	23,776 SF	15,640 SF	15,640 SF
\$ Per SF GBA without the Land		\$44.70 SF	\$46.01 SF	\$51.78 SF	\$42.42 SF	\$48.85 SF	\$74.42 SF
Overall Cap Rates		NA	8.84%	7.84%	NA	NA	NA
<b>Direct Comparison</b>							
Quality of Construction	Good	Average Plus	Average	Average Plus	Average	Average Plus	Average Plus
Adjustment		\$6.71 SF	\$13.80 SF	\$7.77 SF	\$15.70 SF	\$4.64 SF	\$7.07 SF
Condition	Good	Similar	Similar	Similar	Inferior	Similar	Similar
Adjustment		=	=	=	+	=	=
Fire Suppression System	Yes	Inferior	Inferior	Inferior	Inferior	Similar	Similar
Adjustment		\$2.31 SF	\$2.31 SF	\$2.31 SF	\$2.31 SF	\$0.00 SF	\$0.00 SF
GBA (SF)	17,926 SF	12,864 SF	10,008 SF	12,099 SF	23,776 SF	15,640 SF	15,640 SF
Adjustment		-	-	-	+	-	-
Value Indication (\$/SF GBA without the land)		\$53.72 SF	\$62.12 SF	\$61.86 SF	\$60.43 SF	\$53.49 SF	\$81.49 SF

Adjustments

Property Rights – Building Sales 1, 2, 3 and 4 reflect leased fee interests with Pending Sale 1 and Listing 1 reflecting fee simple estates. An adjustment for leased fee interest versus fee simple estate could not be extracted from the market; no adjustment has been attempted.

Financing – Building Sale 4 was a 1031 Exchange transaction which the selling Realtor reports had no impact on the sale price. All of the building sales were reported to be cash or cash equivalent transactions; no adjustments are warranted.

Conditions of Sale – There are no conditions associated with the building sales that would have an impact on the sales price; no adjustments are warranted.

Date of Sale – This item of adjustment is for time elapsed between the date of a sale and the effective date of valuation. The sales span a time frame from 3/27/2006 to 11/1/2012 or up to 119 months prior to the date of valuation. There were no sales identified where a market condition adjustment could be extracted; no market condition adjustment has been attempted.

Land Value –The land value for each building sale was determined from analysis of land sales that took place around the time of the building sale and deducted from the building sale price resulting in the contributory value of the structure and any site improvements.

Quality of Construction – The subject property is good quality construction. All of the building sales are inferior to the subject property with respect to quality of construction. Marshall Valuation Service (MVS) was referenced to determine an adjustment for quality of construction for average plus quality wood frame construction (\$126.49 SF), average quality wood frame construction (\$106.49 SF), average quality masonry construction (\$112.44 SF) and average plus masonry construction (\$133.24 SF). Good quality wood frame construction is \$145.98 SF.

Building Sales 1 and 3 are average plus wood frame quality of construction. Blended average and good wood frame office buildings indicate an upward adjustment of 15% for average plus quality of construction; Building Sales 1 and 3 are adjusted upwards by \$6.71 SF and \$7.77 SF respectively for quality of construction. The quality adjustment for Building Sale 1 is calculated as follows:

$$\$126.49 \text{ SF to } \$145.98 \text{ SF} = 15.64\% \text{ or } 15\% \text{ (R).}$$

$$\$44.70 \text{ SF } (\$/\text{SF of GBA without land}) \times .15 = \$6.71 \text{ SF}$$

All of the other quality construction adjustments are calculated using the same mathematical computation.

Building Sale 2 is average quality masonry construction. MVS indicates an upward adjustment of 30% (R) for average quality masonry construction; Building Sale 2 has been adjusted upwards by \$13.80 SF.

Building Sale 4 is average quality wood frame construction. MVS suggests an upward adjustment of 37% (R) for average quality wood frame construction; Building Sale 4 has been adjusted upwards by \$15.70 SF.

Pending Sale 1 and Listing 1 are average plus quality masonry construction. MVS suggests an upward adjustment of 9.5% (R) for average quality wood frame construction; Pending Sale 1 and Listing 1 have been adjusted upwards by \$4.64 SF and \$7.07 SF respectively.

Condition – The subject property is in good condition overall with minor signs of deferred maintenance. Building Sales 1, 2, 3 and Pending Sale 1 and Listing 1 are similar to the subject property with respect to condition; no adjustments are warranted. Building Sales 4 was in average/fair condition at the time of the sale, inferior to the subject property; an upward adjustment is warranted.

Fire Suppression System – The subject property has a fire suppression system. Building Sales 1, 2, 3 and 4 do not have fire suppression systems; upward adjustments are warranted. MVS indicates a cost new of \$3.50 or \$70,133 to install a fire suppression system similar to the subject property's system. The cost new must be depreciated to reflect any physical depreciation. The effective age of the property is estimated at 30 years with a typical life expectancy of 50 years. MVS depreciation tables indicate a depreciation of 34%. The \$70,133 is depreciated by 34% or \$23,845. Deducting \$23,845 from \$70,133 suggests a current depreciated value of \$46,288 or \$2.31 SF (\$46,288 / 20,038 SF). Building Sales 1, 2, 3 and 4 have been adjusted upwards by \$2.31 SF.

Pending Sale 1 and Listing 1 have fire suppression systems similar to the subject property; no adjustment is warranted.

GBA (SF) – The subject property has a GBA of 17,926 SF. Smaller buildings typically have higher square foot prices. Building Sales 1, 2, 3 and Pending Sale 1 and Listing 1 are smaller than the subject structure; downward adjustments are warranted. Building Sale 4 is larger than the subject property; an upward adjustment is warranted.

### Final Correlation and Conclusion of \$/SF of GBA without the Land

The indicated range is from \$53.72 SF to \$62.12 SF of GBA without the land with a mean of \$59.53 SF and median of \$61.15 SF excluding Pending Sale 1 and Listing 1. Building Sale 1 represents the low end of the range. This property was 80% vacant at the time of the sale and was exposed to the market for an extended period of time which may have had a negative impact on potential buyers. This appears to be a low sale and will not be emphasized.

The narrowed range is from \$60.43 SF to \$62.12 SF with a mean of \$61.47 SF and a median of \$61.86 SF. Building Sale 2 is substantially smaller than the subject property suggesting a value less than \$62.12 SF. Building Sale 4 warrants additional upward adjustments for condition and size suggesting a value greater than \$60.43 SF. These two sales suggest that the value of the subject property should be greater than \$60.43 SF and less than \$62.12 SF. Building Sale 3 also suggests a value less than \$61.86 SF. Pending Sale 1 appears to be a low sale. This property was vacant for an extended period of time similar to Building Sale 1. An additional consideration is that there is uncertainty with respect to the sale closing. Little weight will be given to Pending Sale 1. Listing 1 at \$1,400,000 appears to be high and has had no interest at the \$1,400,000. Listing 1 will not be emphasized.

It is not clear where the value of the subject property should fall. The property has been vacant for an extended period of time which leads me to emphasize the lower half of the narrowed range. An additional consideration is the current amount of office space available for rent in the community. On the other hand, the subject property is a good quality facility that has been well maintained over the years, has finished basement storage space and has good on-site parking lots which leads me to emphasize the upper end of the narrowed range.

It is concluded a value near the upper end of the range between \$60.43 SF and \$62.12 SF at \$62.00 SF without the land is supportable. The value of Site 3 is calculated as follows:

$$\begin{aligned} 17,926 \text{ SF} \times \$62.00 \text{ SF} &= \$1,111,412 \\ \text{Plus Site 3 land value} &= \underline{\$ 266,000} \\ \text{Indicated value of Site 3} &= \$1,377,412 \end{aligned}$$

The values of Site 1 and 2 must be added to the value of Site 3 to obtain the value of the subject property which consists of Sites 1, 2 and 3.

The value of the subject property indication by the Sales Comparison Approach is calculated as follows:

<b>Direct Comparison</b>			
\$/SF of GBA without Land	x	GBA (SF)	= Total
\$62.00 SF	x	17,926 SF	= \$1,111,412
Value of Site 3			\$266,000
Value of Site 1			\$129,500
Value of Site 2			\$252,000
Sum of Sites 1, 2 and 3			\$1,758,912

The value indication of the subject property by the Sales Comparison Approach is \$1,758,900 (R).

## HISTORY

Indication of Sale –

Sale Price \$1,900,000

Land – 14,000 SF

14,000 SF x \$19.00 SF = \$266,000

Site 1 – 7,000 SF Surface Parking Lot

Value Site 1 = \$129,500

Site 2 – 14,000 SF Surface Parking Lot

Value Site 2 = \$252,000

Total Land Value plus Sites 1 and 2 = \$647,500

Building – 17,926 SF

\$69.87 SF x 17,926 SF = \$1,252,500

Estimated value of real property: \$1,900,000

Analysis indicates that this purchase price appears high and falls outside of the upper end of the value range indicated by the Income Capitalization Approach. Conversations with the potential buyer and with the seller indicate that the FF&E will be left with the building is included in the \$1,900,000. The value of the FF&E is not known, but should be deducted from the sale price. The client is urged to contact an expert in this area to determine the value of the desks, tables, chairs and portable walls.

The appraiser is not aware of any other sale during the three years preceding the date of valuation nor of any other current option or buy/sell agreements with respect to the subject property.

## EXPOSURE TIME

Exposure times for office properties in the downtown area generally exceed 12 months. The subject property is situated on the fringe of the CBD that has been well maintained over the years and has two on-site parking lots. Currently there are several office rental suites available for occupancy in the CBD due to a slow-down in the Bakken oil field activity. There is a large paved surface parking lot on North 29<sup>th</sup> Street that is reported to be developed with an office facility. Based on the current demand/supply for properties situated in the downtown area, the location and condition of the subject property and the current economic climate in the community, a reasonable exposure period for the subject property assuming proper pricing and marketing may have been at least 12 months.

## INCOME CAPITALIZATION APPROACH

### Income Quantity

The potential gross income (PGI) refers to the total income the property is capable of producing from rents and other income at full occupancy. The effective gross income (EGI) refers to the income after deducting an allowance for vacancy and collection loss. The net operating income (NOI) refers to the income after deducting landlord operating expenses but before debt service and depreciation.

### Income Quality

Basic issues influencing the quality of the income stream include vacancy, tenant turnover rates, tenant strength, supply and demand, neighborhood trends, etc. The subject property has been owner occupied for an extended period of time. Currently local Realtors report that the demand for office space in the community is soft with supply exceeding the demand. The subject office building is located on the fringe of the prime retail area. There are several office rental facilities in close proximity to the subject property that have rental suites available for occupancy. The most recent new commercial development in the downtown area is a parking/office/retail structure just developed at the northeast corner of North 28<sup>th</sup> Street and Montana Avenue. In addition, several buildings in close proximity to the subject facility have been purchased and renovated or converted to apartment and mixed use facilities. Rental rates for professional office space in and around the downtown area range from around \$8.00 SF<sub>±</sub> to \$12.00 SF<sub>±</sub> with a wide variety of landlord and tenant expense responsibilities.

### Income Durability

There is a lease agreement between Yellowstone County and PayneWest Insurance, Inc. dated February 23, 2016.

Refer to the following lease synopsis:

Lessor:	PayneWest Insurance, Inc.
Lessee:	Yellowstone County
Premises Leased:	2323 2 <sup>nd</sup> Avenue North with the adjoining parking lots.
Lease Term:	Six months commencing on 4/1/2016
Rental Rate:	\$10,000/month
Rent Escalation:	None
Renewal Terms:	None
Tenant Expenses:	Real estate taxes, insurance, utilities, plumbing, site/interior maintenance/repair
Landlord Expenses:	Roof, foundation, exterior walls, HVAC, plumbing and electrical systems.
Comments:	The lessee has an option to purchase the subject property for \$1,900,000.

The lease agreement is retained in the appraiser's work file.



Rent Comparable 1 is a 20,960 SF fair/average quality office/warehouse located at the northeast corner of 1<sup>st</sup> Avenue North and North 31<sup>st</sup> Street. The building was built in 1947 and was remodeled in 2000. The building was previously an automotive dealership. The primary tenant rents approximately 16,076 SF± of office space and 2,000± SF of storage space. The real estate broker who negotiated the lease reports the storage space was given no value in the lease and the rental rate is based on the office space. The office space rents for \$14,828 per month. The tenant pays interior maintenance and repair and the landlord pays all other costs associated with the building.

Rent Comparable 2 is an average/good quality 63,062 SF±, five-story professional office building located at the northeast corner of 3<sup>rd</sup> Avenue North and North 30<sup>th</sup> Street. The building was built in 1978 and was remodeled in 2005. The building has several rental suites that can be divided into various configurations. The average rental rate is \$14.00 SF. The landlord pays all of the expenses associated with this building.

Rent Comparable 3 is a good quality 159,915 SF±, 14-story professional office building located at the southeast corner of 2<sup>nd</sup> Avenue North and North 27<sup>th</sup> Street. The building was built in 1977 and was remodeled in 2003. The building has several rental suites that can be divided into various configurations. The leasing broker reports the average rental rate is \$17.00 SF. The landlord pays all of the expenses associated with this building.

## Final Correlation and Conclusion of Professional Office Market Rental Rate

For purposes of this analysis, the subject's rental rate will reflect a triple net lease agreement with the tenant being responsible for all of the operating expenses associated with the subject property. The landlord will be responsible for major structural maintenance and repair and a management fee.

The rent comparables reflect gross lease agreements and need to be adjusted to reflect triple net lease agreements. The broker who negotiated the lease for Rent Comparable 1 reports the expenses associated with the building are approximately \$5.00 SF. Rent Comparable 1 will be adjusted downward by \$5.00 SF to reflect a triple net lease agreement.

The broker who negotiates leases for Rent Comparable 2 reports the expenses associated with the building are approximately \$6.00 SF. Rent Comparable 2 will be adjusted downward by \$6.00 SF to reflect a triple net lease agreement.

The broker who negotiates leases for Rent Comparable 3 reports the expenses associated with the building are approximately \$7.00 SF. Rent Comparable 3 will be adjusted downward by \$7.00 SF to reflect a triple net lease agreement.

Refer to the following table for a summary of the adjusted rental rates reflecting triple net lease agreements:

<b>Adjusted Rental Rate Summary</b>	
<b>Rent Comparable Number</b>	<b>Adjusted Rental Rate</b>
Rent Comparable 1	\$6.07 SF
Rent Comparable 2	\$8.00 SF
Rent Comparable 3	\$10.00 SF

The adjusted rental rate range reflected from the survey is from \$6.07 SF to \$10.00 SF with a mean of \$8.02 SF and a median of \$8.00 SF.

Rent Comparable 1 represents the low end of the range. It was reported that the building was in fair condition at the time the lease was negotiated. This building is inferior to the subject property with respect to quality of construction. This rent comparable suggests a rental rate greater than \$6.07 SF.

Rent Comparable 3 represents the high end of the range. This rent comparable is located near the prime central business district and is superior to the subject with respect to quality of construction and location. This suggests a value less than \$10.00 SF.

Rent Comparable 2 represents the middle of the range. This rent comparable is similar to the subject property with respect to quality and condition and on-site parking available. This office facility is situated in an area of the CBD that is predominately professional office properties in nature. This rent comp suggests a value around \$8.00 SF.

The subject property is average/good quality in average/good condition with good visibility and access. It is concluded that a rental rate near the middle of the range between \$6.07 SF and \$10.00 SF at \$8.00 SF is reasonable and supportable and will be applied to the estimated 17,926 SF of office space. There is an estimated 2,112 SF of basement mechanical and storage areas that will receive no rent.

### Vacancy and Collection Loss

This category accounts for the time period between tenants, as well as prolonged vacancies during slow market conditions and reflects the probable vacancy during the economic life of the property, not necessarily the vacancy at any particular point in time.

NAI Business Properties conducted a survey in January 2015 with respect to the amount of office space available for lease in the downtown area. The survey indicated a 14.70% vacancy rate. The office vacancy rate in 2012 was 8.56% and 14.07% in 2011 according to the NAI survey in 2012 and 2011. The subject property has been owner occupied for an extended period of time suggesting a vacancy rate of 0%. Local commercial leasing agents and Realtors report that there is an oversupply of office space in the community and in the downtown area. Considering all of the above, a vacancy rate at 10.0% will be applied to the estimated potential gross income that the subject property could generate.

## Operating Expenses

Management – This expense category is related to active management by the landlord and/or a representative who is responsible for maintaining property records, collecting rents, marketing the property, negotiating leases, etc. Property management firms typically collect a percentage of the effective gross income with the percentage, generally in the range of 3% to 6%, dependent upon the number of tenants and management responsibilities. The subject property could accommodate up to two tenants. For purposes of this analysis, a management fee at 3% of the EGI income will be utilized.

Repair and Maintenance Services – This expense category is for major structural maintenance and repair, i.e., heating and air conditioning, roof maintenance/repair, plumbing, electrical, etc. The building is in good condition overall with minimal signs of deferred maintenance. The roof has been recently replaced. However, the complex has a chronological age of 57 years but has been renovated over the years. For purposes of this analysis 3.0% of the EGI will be utilized for this expense category.

## Capitalization Rate Determination

Local financial institutions indicate current interest rates in the range of 4.75% to 5.00% amortized over 15 to 20 years and a 3 to 5 year rate adjust. Loan-to-value ratios vary from 70% to 75% depending upon whether or not the property will be owner occupied or an investment.

Financing for the subject property may be as follows:

Interest Rate	Amortization	Call Period	Loan-to-Value Ratio
4.75%	20 Years	5 Years	70%

Interviews with Realtors and investors indicate a 8% to 10% cash on cash return on equity capital may be desired by investors for properties similar to the subject.

Banks generally use 20 year amortization regardless of the age of the property.

The mortgage-equity band of investment method utilizing a 4.75% interest rate, a 20 year amortization and a loan-to-value ratio of 70% results in full term cap rates in the range of 7.94% to 8.54%. No adjustment for appreciation or depreciation has been included.

Market extracted cap rates are the result of the interactions of buyers and sellers in the market place, therefore, they are considered the most reliable source of cap rates. However, this procedure requires considerable and accurate income and expense data that may not always be available.

Refer to the table on the following page which summarizes cap rates for office properties in the community where a cap rate could be extracted.

**Office Building Cap Rate Summary**

<b>Identification</b>	<b>Year Sold</b>	<b>Sale Price</b>	<b>NOI</b>	<b>Cap Rate</b>
225 North 23 <sup>rd</sup> Street	2012	\$537,500	\$48,834	9.09%
1320 Division Street	2012	\$614,000	\$44,747	7.29%
Building Sale 2	2012	\$555,000	\$49,088	8.84%
214 North 24 <sup>th</sup> Street	2009	\$353,500	\$30,267	8.56%
Building Sale 3	2007	\$910,000	\$71,332	7.84%

The cap rates extracted from sales of properties in the community in the above table are not all true comparables to the subject property. However, they are sales of office properties that have taken place over the past nine years and reflect investor expectations of leased office facilities in the community and downtown area.

The cap rate range indicated from the building sales is from 7.29% to 9.09% with a mean of 8.32% and median of 8.56%. The mortgage equity band of investment method suggests a cap rate range of 7.94% to 8.54% which falls within the range reflected from the cap rates from the building sales. The office building at 1320 Division Street was basically new construction and superior overall to the subject property. This cap rate will not be emphasized. The narrowed range is from 7.84% to 9.09% with a mean of 8.58% and a median of 8.70%.

It is concluded that a cap rate range from 8.00% to 9.00% is reasonable and supportable.

Refer to the table on the following page for a Direct Capitalization summary.

## PayneWest Office Building

### Projected Operating Statement

Type of Space/Tenant	Rentable Area	Annual Per SF	Annual Income
Professional Office	17,926 SF	\$8.00 SF	\$143,408
Potential Gross Income (PGI)			\$143,408

### ASSUMPTIONS

Cap Rate Range	8.00%	9.00%
Vacancy Rate	10.00%	
Gross Building Area (GBA)	17,926 SF	

		%	\$ Per SF GBA
Potential Gross Income (PGI)	\$143,408	100.00%	\$8.00 SF
Vacancy/Collection Loss	(\$14,341)	10%	(\$0.80 SF)
Effective Gross Income (EGI)	\$129,067	90%	\$7.20 SF
Expenses			
Insurance	\$0	0.00%	\$0.00 SF
Management	\$3,872	3.00%	\$0.22 SF
Real Estate Taxes	\$0	0.00%	\$0.00 SF
Repair and Maintenance Services	\$3,872	3.00%	\$0.22 SF
Utilities	\$0	0.00%	\$0.00 SF
Total Expenses	\$7,744	6.00%	\$0.44 SF
Net Operating Income (NOI)	\$121,323	94.00%	\$6.76 SF

NOI	/	OAR	=	Value Indication	Plus	Excess Land	=	Value Indication
\$121,323	/	8.00%	=	\$1,516,538	+	\$381,500	=	\$1,898,038
\$121,323	/	8.50%	=	\$1,427,329	+	\$381,500	=	\$1,808,829
\$121,323	/	9.00%	=	\$1,348,033	+	\$381,500	=	\$1,729,533

The excess land which consists of Sites 1 and 2 must be added to the value indication since they must be accounted for in the income capitalization approach and were not assigned any rental income.

The indicated value range reflected by the Income Capitalization Approach is \$1,729,500 (R) to \$1,898,000 (R).

**RECONCILIATION**

The approaches to value indicated herein result in the following indications of value for the subject property:

<b>Value Indications</b>		
Land Value		
	Site 3:	\$266,000
Cost Approach:		NA
Sales Comparison Approach		
	Direct Comparison Site 1:	\$129,500
	Direct Comparison Site 2:	\$252,000
	Direct Comparison Site 3:	<u>\$1,377,400</u>
	Direct Comparison Sites 1, 2 and 3:	\$1,758,900
Income Capitalization Approach		
	Direct Capitalization:	\$1,729,500 to \$1,898,000

The reconciliation of the value indications is the final step in the appraisal process and involves weighing each valuation technique in relation to the available market data and its reliability and applicability to the subject property.

The estimated land value is based on four sites located in the downtown area. There is no vacant land available for development in the central business district, therefore, developers have been purchasing existing properties then razing the improvements and redeveloping or extensively renovating the improvements. The sales were updated for market conditions and adjusted for location and size. Additional considerations include whether or not the site was a corner location or interior site. The land value was “bracketed” emphasizing the upper half of the range. The land value opinion appears reasonable and supportable.

The Cost Approach is a good indicator of value when the improvements are new or relatively new and represent the highest and best use of the land or when relatively unique or specialized improvements are located on a site for which there exist few sales or leases. The property was developed in 1959 and renovated over the years. The complex has been maintained over the years. There would be considerable subject judgment involved in estimating the effective age of the improvements and the amount of depreciation to apply to the replacement cost new. There are limited lease data and building sales which have been analyzed to determine the “as is” market value of the subject property. Therefore, a value opinion by the Cost Approach has not been included in this analysis.

The Sales Comparison Approach is a good indicator of value in an active market where there are sufficient sales transactions available. Three sales of surface parking lots in the downtown area were identified and compared to Site 1. Four sales of surface parking lots in the downtown area were identified and compared to Site 2. They were updated for market conditions and adjusted for location and size. The upper half of the ranges was emphasized for both Sites 1 and 2. A value opinion by the Sales Comparison Approach was reported. The Sales Comparison Approach is a valid indicator of value for both Sites 1 and 2.

Four sales, one pending sale and one listing were identified and compared to the structural improvements situated on Site 3. The sales were adjusted for quality of construction and fire suppression systems. Additional considerations included the basement area

and on-site parking that is available. The range was narrowed to Building Sales 2, 3 and 4 emphasizing the upper end of the range. A value opinion by the Sales Comparison Approach was reported. The Sales Comparison Approach is a valid indicator of value.

The Income Capitalization Approach is a good indicator for income producing properties. The subject property has been owner occupied for an extended period of time. The Income Capitalization Approach for Sites 1 and 2 was not attempted due to the lack of reliable/valid income and expense data for surface parking lots.

There are leased professional office facilities in the downtown area. A rent survey was conducted to determine rental rates for similar professional office facilities in the downtown area. The middle of the rental rate range was emphasized. A vacancy rate was determined by using a NAI Business Properties survey. The operating expenses were estimated and deducted from the effective gross income (EGI). A cap rate was determined from sales of downtown facilities and the mortgage equity band of investment method. The estimated values of Sites 1 and 2 determined in the Sales Comparison Approach section of this report were added to the value estimate range of Site 3. A market value opinion range of the fee simple estate was reported. The Income Capitalization Approach is a valid indicator of value.

The Income Capitalization Approach suggests a value range between \$1,729,500 to \$1,898,000 and the Sales Comparison Approach indicates a value of \$1,758,900.

Concerns with the value indication range reflected by the Income Capitalization Approach include determining a rental and vacancy rate for the subject property. An additional concern is the current amount of downtown office space available for lease. The estimated landlord expenses seem reasonable and the overall capitalization rate is based on sales of office properties in the community. Overall the amount of data available for this approach is good. The value range reflected by the Income Capitalization Approach seems reasonable and supportable.

The value indication reflected by the Sales Comparison Approach falls in the lower half of the indicated value range by the Income Capitalization Approach. Concerns with the Sales Comparison Approach include the adjustment for the quality of construction and the contributory value of the finished basement space. The quality and quantity of data available for this approach in the downtown area is fair. However, the narrowed range reflected by the three building sales emphasized is small. The value by the Sales Comparison Approach is a weak but valid indicator of value.

There are uncertainties associated with each approach. Therefore, considering all of the above, it is concluded that the fee simple estate value range for the subject property as of 2/23/2016 was:

**\$1,750,000 to \$1,850,000**

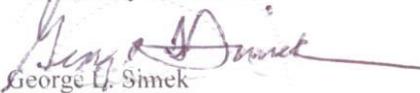
**ONE MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS  
TO  
ONE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS**

## CERTIFICATION OF VALUE

The undersigned certifies that to the best of my knowledge and belief,

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and I have no personal interest with respect to the parties involved.
- I have performed no appraisal services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analysis, opinions and conclusions were developed and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
- I certify that to the best of my knowledge and belief, the reported analysis, opinions and conclusions were developed, and this report has been prepared in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- I certify that the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I have completed the Standards and Ethics Education Requirements for Practicing Affiliates of the Appraisal Institute.
- I have made a personal inspection of the property that is the subject of this report.
- No other person provided significant real property appraisal assistance to the person signing this certification.

Respectfully submitted,



George L. Simek  
Certified General Real Estate Appraiser with endorsement of Real Estate Appraiser Mentor  
State of Montana, License No. REA-RAG-LIC-426

**ADDENDA**

RENT COMPARABLE PICTURES



Rent Comparable 1  
111 North 31<sup>st</sup> Street



Rent Comparable 2  
2929 3<sup>rd</sup> Avenue North



Rent Comparable 3  
175 North 27<sup>th</sup> Street

BUILDING SALE PICTURES



Building Sale 1  
3333 2<sup>nd</sup> Avenue North



Building Sale 2  
3300 2<sup>nd</sup> Avenue North



Building Sale 3  
644 Grand Avenue



Building Sale 4  
2108 Broadwater Avenue



Pending Sale 1  
24 South 30<sup>th</sup> Street



Listing 1  
24 South 30<sup>th</sup> Street

**APPRAISER'S QUALIFICATIONS****Summary of Qualifications****George L. Simek****Present Status**

Appraisal work includes estimating market value for loan underwriting, estates, investment, acquisition and marketing purposes, consultation and appraisal review.

**Certification**

Montana Board of Real Estate Appraisers General Certification with endorsement of Real Estate Appraiser Mentor License No. REA-RAG-LIC-426 awarded March 1996 with Mentor's endorsement awarded March 2012.

**Professional Affiliations**

Practicing Affiliate of Appraisal Institute  
Billings Commercial Brokers  
Montana Chapter of Appraisal Institute Board of Directors Member 2004 – 2008  
Current Montana Board of Real Estate Appraisers Board Member

**Work Experience**

January 1997 to Present: Full time independent fee appraiser doing business as George L. Simek, Real Estate Appraiser and Consultant.

June, 1993 to December, 1996: Full time staff appraiser with Rutherford & Associates Appraisals, Inc., Billings, Montana, a full service real estate appraisal company specializing in commercial, industrial, multi-family and single-family properties. Appraisal assignments consisted of appraisal analysis and writing, reviews and consultation for all types of properties.

June, 1991 to June, 1993: Part time staff appraiser with Rutherford & Associates Appraisals, Inc. Duties included property inspections, data collection and analysis and appraisal review assignments.

August, 1972 to June, 1993: Tenured math/computer programming teacher (12 years), Billings Public School District Computer and Testing Coordinator/Specialist (4 years) and counselor (5 years). Retired, June, 1993.

April, 1971 to August, 1972: Real Estate Investment Counselor for Llewellyn Associates, Billings, Montana, a full service residential and commercial real estate office. Duties included marketing limited partnership properties in the Billings area and commercial property financial analysis.

November, 1970 to April, 1971: Ski instructor for Red Lodge Mountain Ski Area, Red Lodge, Montana.

August, 1966 to June, 1970: Tenured chemistry teacher for San Ramon School District, Danville, California. Resigned, June, 1970.

**Education**

Master's Degree, School Counseling, 1975, Eastern Montana College, Billings, Montana.

Professional Certification, 1966, Denver University, Denver, Colorado.

University of Oregon, 1965, Eugene, Oregon, graduate work in biochemistry.

Bachelor of Science in Chemistry, 1964, Montana State University, Bozeman, Montana.

Real Estate Education

Appraisal Institute Courses –

- Standards of Professional Practice
- Real Estate Appraisal Principles
- Basic Valuation Procedures
- Residential Valuation
- Basic Income Capitalization
- Small Mixed-Use Properties Sales Comparison Approach
- Advanced Income Capitalization
- Highest and Best Use and Market Analysis
- Advanced Sales Comparison and Cost Approach
- The Appraiser as an Expert Witness: Preparation and Testimony
- Fundamentals of Separating Real Property, Personal Property and Intangible Business Assets
- Real Estate Finance, Statistics and Valuation Modeling
- Litigation Appraising: Specialized Topics and Applications

Appraisal Institute Seminars –

- Written Communication
- Fundamentals of Relocation Appraising
- Understanding Limited Appraisals – General
- Standards of Professional Practice, Part C
- Eminent Domain and Condemnation
- Small Hotel/Motel Valuation
- The Road Less Traveled: Special Purpose Properties
- National Uniform Standards of Professional Practice (USPAP) Updated Course
- Appraising Convenience Stores
- Scope of Work: Expanding Your Range of Services
- Business Practices and Ethics
- What Clients Would Like Their Appraiser to Know
- Appraising from Blueprints and Specifications
- Subdivision Valuation
- Analyzing Commercial Lease Clauses
- Condominiums, Co-ops and PUDs
- Spotlight on USPAP: Hypothetical Conditions and Extraordinary Assumptions
- 7-Hour National USPAP Update Course
- Appraiser Identity Theft, Report Tampering and Client Pressure: Maintaining Control
- Quality Assurance in Residential Appraisals: Risky Appraisals = Risky Loans
- Office Building Valuation: A Contemporary Perspective
- Appraisal Curriculum Overview (2-Day General)
- Attacking and Defending an Appraisal in Litigation
- Advanced Spreadsheet Modeling for Valuation Purposes
- Residential Applications Part 2: Using Microsoft Excel to Analyze and Support Assignment Results

**Property Types Appraised/Reviewed**

- |                               |                         |                       |
|-------------------------------|-------------------------|-----------------------|
| Single-family                 | Warehouse               | Multi-family          |
| Light Manufacturing           | Subsidized Housing      | Professional Office   |
| Medical Office                | Residential Subdivision | Discount Store        |
| Business Park                 | Vacant Lots/Acreage     | Motel                 |
| Shopping Center               | Golf Course             | Ski Resort            |
| Retail Stores                 | Convenience Store       | Automobile Dealership |
| Automotive Detailing Facility | Truck Service Shop      | Casino                |
| Service Garage/Shop           | Mobile Home Park        | Airplane Hangar       |
| Post Office                   | Mini Storage Warehouse  | Freight Terminals     |
| Financial Institutions        | Church                  | Parking Garage        |

STATE CERTIFICATION



State of Montana  
Business Standards Division  
Board of Real Estate Appraisers

License #: **REA-RAG-LIC-426**  
Status: **Active**  
Expiration Date: **03/31/2017**

GEORGE L SIMEK  
2320 THIRD AVE N  
BILLINGS, MT 59101

This certificate verifies licensure as:  
**CERTIFIED GENERAL APPRAISER**  
With endorsements of:  
REAL ESTATE APPRAISER MENTOR

RENEW OR VERIFY YOUR LICENSE AT  
<https://ehiz.mt.gov/pol/>

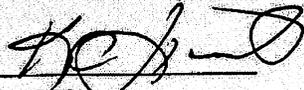
**Lease Addendum**

**To the Lease Agreement dated February 23, 2016 between Yellowstone County as Lessee and PayneWest Insurance, Inc. as Lessor:**

The parties now agree that the lease is to be extended until November 30, 2016. The County is exercising their option to purchase the subject property on or before November 30, 2016, so long as the County is credited \$15,000 per month rent for the month of October 2016. November rent has been paid by the County and shall not be prorated should closing occur before November 30, 2016. The parties further agree to the following modifications to the original terms in the lease and previous addendums:

- 1) The purchase price shall be \$1,867,550. \$1,850,000 for the real property and \$17,550 for the furniture.
- 2) The County will not be entitled to any credit allowed under the previous lease/option as stated in that lease/option.
- 3) The Seller agrees that the \$10,000 Security Deposit will be credited to the Buyer/Lessee at closing.
- 4) This addendum supercedes any and all other addendums.

LESSOR:  
PayneWest Insurance, Inc.

By:   
Title: CEO

Date: 11-9-16

LESSEE:  
Yellowstone County

By: \_\_\_\_\_  
Title: Chairperson

Date: \_\_\_\_\_

Estimates by  
Office 360

## PAYNE WEST OFFICE FURNITURE

Identifier-Room	Description	Wholesale Purchase	Market Value
Office #1	Round Table 4 side chairs	\$ 100.00	\$ 250.00
Office #2	Desk, 2 lateral files, 2 side chairs	\$ 200.00	\$ 500.00
General Work Area	Lateral File Cabinet (s) 25 each @ \$50.00 each	\$ 1,250.00	\$ 3,125.00
Work Station	Small Work Station with Panels	\$ 100.00	\$ 250.00
Work Station	Office Chair	\$ 20.00	\$ 50.00
Office #3	"L" desk w/ Peninsula - Corner unit - wing	\$ 150.00	\$ 375.00
Office #4	Full "U" Desk	\$ 200.00	\$ 500.00
Office #5	"L" desk w/ Peninsula w/ side chair	\$ 200.00	\$ 500.00
Office #6	Table & 2 chairs	\$ 50.00	\$ 125.00
General Work Area	3 Panels - table-task chair	\$ 70.00	\$ 175.00
Work Room	Chairs	\$ 40.00	\$ 100.00
Reception Area	4 Chairs @ \$25.00	\$ 100.00	\$ 250.00
Upstairs Conference Room	Large meeting table - 6 chairs	\$ 160.00	\$ 400.00
Upstairs Mezzanine	"L" Shaped Desk	\$ 100.00	\$ 250.00
Upstairs Mezzanine	"U" Shaped Desk 3 ea. @ \$150.00	\$ 450.00	\$ 1,350.00
Office #8	Desk & lateral file	\$ 100.00	\$ 250.00
Office #9	"L" Shaped Desk - chair - 2 side chairs	\$ 120.00	\$ 300.00
Workroom	4 Chairs @ \$10.00	\$ 40.00	\$ 100.00
Office # 10	Oak Desk - Lateral File	\$ 200.00	\$ 500.00
Office #11	Full "U" Desk - Lateral File 3 side Chairs	\$ 150.00	\$ 375.00
Office #12	Desk & Side table	\$ 90.00	\$ 225.00
Office #13	U-Shaped Desk w/o chair(s)	\$ 150.00	\$ 375.00
Upper Hallway	Desk, Cardenza, table	\$ 100.00	\$ 250.00
"	Misc chairs	\$ 100.00	\$ 250.00
"	Large corner workstation w/ lateral	\$ 200.00	\$ 500.00
"	Small Work Station with Panels	\$ 100.00	\$ 250.00
"	Small Work Station with Panels	\$ 100.00	\$ 250.00
Lower Conference Room	Conference Table w/ 16 chairs and sectional table	\$ 360.00	\$ 900.00
Breakroom	5 tables w/26 chairs	\$ 280.00	\$ 700.00
Appliances	Refrigerator-Dishwasher	\$ 270.00	\$ 675.00
Downstairs	Workstation small 3 ea @ 100.00	\$ 300.00	\$ 750.00
"	Workstation Large 3 ea @ 150.00	\$ 450.00	\$ 1,125.00
Office #14	Desk w/Cradenza & chairs	\$ 150.00	\$ 375.00
Office #15	Full U-shaped Desk w/chairs	\$ 180.00	\$ 450.00
Office #16	Double "L" shaped workstations	\$ 300.00	\$ 750.00
<b>TOTALS</b>		\$ 6,930.00	\$ 17,550.00

**B.O.C.C. Regular**

Agenda Item 2.

**Meeting Date:** 11/15/2016

**Title:** Amendment to Fuego Fire Hearing Schedule

**Submitted For:** Brad Shoemaker, Emergency and General Services Director

**Submitted By:** Brad Shoemaker, Emergency and General Services Director

---

**TOPIC:**

Amended Resolution 16-126 of Intent to Create Fuego Fire Service Area and Setting the Public Hearing for Tuesday December 20, 2016 @ 9:30 a.m in Room 403A

**BACKGROUND:**

I (DES) made a process error in the original petition and this will allow for that to be fixed. The schedule must be changed to accommodate this. Letters will be mailed to all parties within the service area for notice of the new date.

**RECOMMENDED ACTION:**

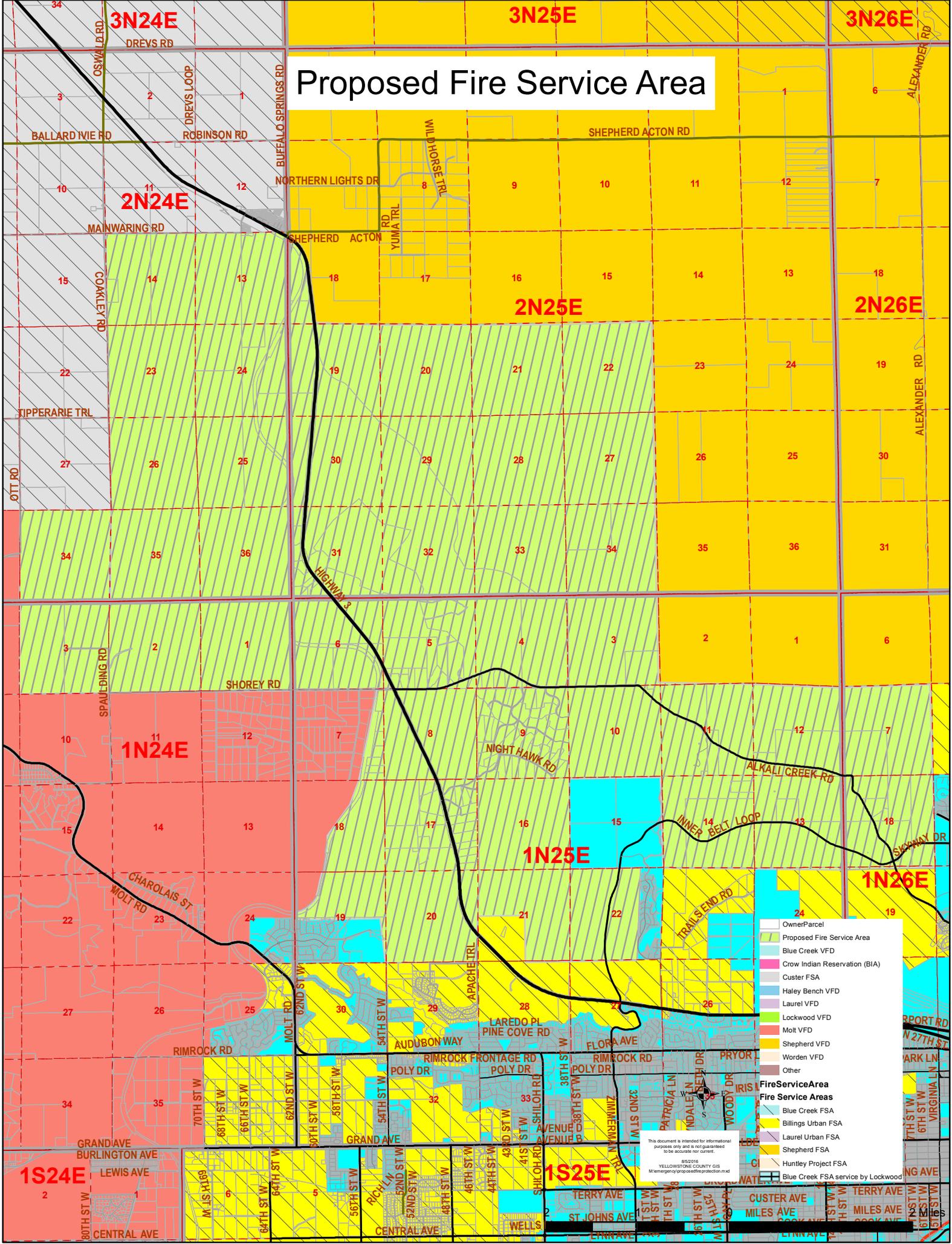
Approval of the schedule change.

---

**Attachments**

- Fuego Map
  - Fuego Ownership
  - List of Properties and Property Owners
  - Draft Contract
  - Fuego Finance Summary
  - Petition to Create Fuego FSA
  - Resolution of Intent
-

# Proposed Fire Service Area



	OwnerParcel
	Proposed Fire Service Area
	Blue Creek VFD
	Crow Indian Reservation (BIA)
	Custer FSA
	Haley Bench VFD
	Laurel VFD
	Lockwood VFD
	Molt VFD
	Shepherd VFD
	Worden VFD
	Other
<b>FireServiceArea</b>	
	Blue Creek FSA
	Billings Urban FSA
	Laurel Urban FSA
	Shepherd FSA
	Huntley Project FSA
	Blue Creek FSA service by Lockwood

This document is intended for informational purposes only and is not guaranteed to be accurate nor current.

ISSUANCE  
YELLOWSTONE COUNTY GIS  
M:\emergency\gis\proposedfire\protection.mxd

**WILDLAND FIRE SUPPRESSION**  
**AGREEMENT**

THIS AGREEMENT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between YELLOWSTONE COUNTY, MONTANA, hereinafter referred to as the "County" and the FUEGO FIRE SERVICE AREA, hereinafter referred to as the "Fire Department", for the purpose of providing suppression of range, farm, forest, and wildland fires within the boundaries of Yellowstone County and the Crow Indian Reservation cited on the County G.I.S. map entitled "Fire Protection, Fire Service and Fire District Boundaries".

For authority for this Agreement, reference is hereby made to Chapter 13 of Title 76 and Chapter 33 of Title 7, Montana Codes Annotated.

**WITNESSETH:**

The Fire Department, as an independent contractor, and the County, in consideration of the covenants and agreements contained herein, agree as follows:

1. The Fire Department will furnish fire fighting equipment and firemen to fight grassland, crop, forest and wildland fires in the area designated above. The Fire Department also agrees to suppress any fire on County owned property such as parks, bridges, right-of-ways, etc. Per separate Mutual Aid Agreement, the Fire Department further agrees to assist in fighting fires in other areas when needed and called by the other areas, the County Fire Chief/Warden, or the City/County Dispatch Center.
2. The Fire Department will maintain fire fighting equipment and firemen sufficient enough to meet the terms of this agreement.
3. The Fire Department shall have appropriate personal protective equipment (PPE) for all fire fighters when called to suppress a wildland fire.
4. The Fire Department covered under this agreement must have workers compensation or medical insurance on fire fighters to cover injuries and lost time and provide proof of such annually by July 1 to the County Fire Warden.
5. The Fire Department must complete training for its fire fighters consisting of basic wildland fire behavior and/or similar refresher training and must submit proof of such training for new fire fighters prior to July 1 of each year to the County Fire Warden.
6. The Fire Department agrees to keep fire personnel on call at all times  
*(twenty-four hours a day/7 days a week/365 days a year)*

8. It is understood and agreed that the County will not be held liable for any damage to equipment nor shall they be liable for any accidents to firemen or equipment or for any damages caused in fighting such fires as stipulated above.
9. It is further understood and agreed by both parties that the Fire Department assumes no liability to the County for loss due to fire or damage by fire, smoke, water, or chemicals used in the fighting of a fire or for any other damages necessary to save life and property or to the delay in answering fire calls which are due to causes beyond the Fire Department's control. Should the Fire Department be engaged in fighting a fire on another property when the County places a fire call, said Fire Department will not be liable to the County for any damage due to delay in answering the call.
10. The Fire Department named herein agrees that none of the funds allocated by the County under the Agreement shall be expended for any other purpose other than those directly connected with providing equipment, fire fighters, and other services pertaining to the performance of this agreement.
11. Either Party to this Agreement may terminate said Agreement by rendering in writing their intention of termination of this Agreement at least three (3) months in advance of the termination date.
12. It is understood and agreed that the Sheriff of the County or his designated deputy is the appointed Fire Marshal and shall aid the Fire Incident Commander (fire chief or his representative) during or after a fire. The Fire Incident Commander shall direct and command all firemen in fire suppression activities within their area of responsibility with support of the Fire Marshal, Fire Warden and other County officers and resources.
13. For the service indicated above, the County agrees to pay the Fire Department as follows:

<b>A. FLAT FEE:</b>			
[1] Truck Maintenance		\$2,700.00	
	(for maintaining 1 water tender & 2 quick attack units - 6 months X 3 vehicles X \$150.00/month)		
[2] Building Maintenance		\$2,400.00	
	(12 months X \$200/month)		
[3] Firefighter Maintenance		<u>\$2,000.00</u>	
	(insurance, PPE, supplies, & equipment)		
<b>TOTAL FLAT FEES:</b>		<b>\$7,100.00</b>	
<b>B. ACREAGE FEE:</b>	0.065/AC	_____AC	\$
<b>C. TOTAL</b>			<b>c</b>

14. This Agreement supersedes all previous Agreements entered into by the parties for this purpose.

President \_\_\_\_\_  
Print Name Signature

Secretary \_\_\_\_\_  
Print Name Signature

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

(SEAL)

John Ostlund, Chairman

ATTEST:

Jim Reno, Member

Jeff Martin  
Clerk & Recorder

Robyn Driscoll, Member

## Fuego Fire Service Area

### Finance Summary

Fuego Fire Service Area will be financed through two income sources as described below:

1. County Grass Protection Contract—Areas within Fuego Fire Service Area will be contracted with Yellowstone County under the standard grass fire protection contract at the established rate by Yellowstone County (Flay Fee + acreage fee).
2. \$0.15 per acre up to a maximum of \$250.00 for a property owner. Board may adjust the assessment schedule annually.

# Yellowstone County



**JEFF MARTIN**  
Clerk & Recorder  
P.O. Box 35001  
Billings, MT 59107-5001

Phone (406) 256-2785  
Fax (406) 256-2736  
Email: [jmartin@co.yellowstone.mt.gov](mailto:jmartin@co.yellowstone.mt.gov)

November 10, 2016

Board of County Commissioners  
Yellowstone County

Re: Petition to create the Fuego Fire Service Area.

Yellowstone County received a petition to create the Fuego Fire Service Area. M.C.A. 7-3-2401 states "upon receipt of a petition signed by at least 30 owners of real property in the proposed service area, or by a majority of the owners of real property if there are no more than 30 owners of real property in the proposed service area, the board of county commissioners may establish a fire service area within an unincorporated area not part of a rural fire district in the county to provide the services and equipment set forth in 7-33-2402."

After review, the petition appears to meet the threshold of 30 signatures from owners of real property within the proposed service area.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Martin", is written over a horizontal line.

Jeff Martin  
Clerk & Recorder

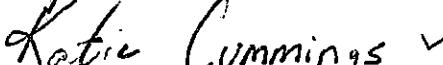
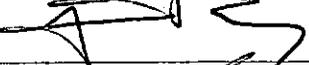
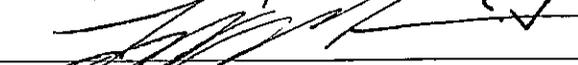
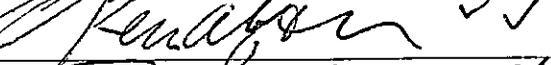
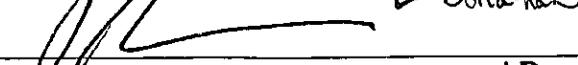
Property Owner	TAX ID	Valid	
Morganthaler, Fred J.	C12991	1	
Carpenter, Lawrence	D13079	1	
Johnson, Kirk	C13307	1	
Urbaska, Maile	C12861	1	
Cummings, Katie	C12860	1	
Finn, Bradley J.	C12993	1	
Baker, Jim	C13309	0	The JW Baker Trust - Signed as individual
Ninichuck, Patricia	C13306	1	
Pugh, Lydia	D11607	1	
Milroy, David	C13304	1	
Scherer, Lee Robert	D04546	1	
Alefteras, Kenneth	C12421	1	
Ruble, Robert	D04537	0	Owned by Sheila Ruble
Hughes, Forest	C13305	1	
Leavesseur, Reese	C12863	0	Reese A. Leavesseur Revocable Trust - Signed as individual
Fink, Linda	D04553	1	
Reck, Samuel	C12862	1	
Brown, R. Scott	C12181	1	
Kosiarek, Greg	C13308	1	
Holzheimer, Don C.	C12032	0	Don and Sandra Holzheimer Living Trust - Signed as individual
Yandell, David W.	C12990	1	
Osborn, Marc R.	C12992	1	
Sullivan, Gene	C11919	0	Owned by Cecille Sullivan
Holly, Paul W.	D04542	0	Holly Living Trust - Signed as individual
Holly, Paul W.	C12418	0	Holly Living Trust - Signed as individual
Canton, Mark	C12033	1	
Swain, Jo	C14785	0	The Swain Family Trust - Signed as individual
Cebull, Richard F.	C13303	1	
Gregory, John R.	D04540	1	
Hurd, Robert N.	D04533	1	
Vanderloos, Bill	C12180	0	Signed by Spouse
Vanderloos, Darlene	C12180	1	
Wisler, Jeanne M.	D04531	1	

Erpelding, Christine	D04545	1	
Haynes, Jonathan T.	D11609	1	
Cebull, Brian R.	D04547	1	
Nance, Robert	D04548	1	
Alexander, James	C12864	1	
Morganthaler, Eva M.	C12991	1	
J.W. Baker Trust	C13309	1	Signed as Trustee of the JW Baker Trust
Reck, Samuel John	C12862	0	Already counted with prior signature
Reck, Kristell Prongua	C12862	1	
Hurd, Carol L.	D04534	1	
Hurd, Carol L.	D04533	0	Already counted with prior signature
Hurd, Carol L.	D04533A	0	Already counted with prior signature
Hurd, Robert N.	D04534	0	Already counted with prior signature
Hurd, Robert N.	D04533	0	Already counted with prior signature
Hurd, Robert N.	D04533A	0	Already counted with prior signature
Carpenter, Lawrence W.	D06922	0	Already counted with prior signature
Carpenter, Lawrence W.	D13079	0	Already counted with prior signature
Carpenter, Lawrence W.	D13080	0	Already counted with prior signature
Carpenter, Kristine M.	D06922	0	Bar Diamond Ranch LLC
Carpenter, Kristine M.	D13079	1	
Carpenter, Kristine M.	D13080	0	Already counted with prior signature
Don C. Holzheimer	C12032	1	Signed as Trustee of the Don C. and Sandra K. Holzheimer Living Trust
Don C. Holzheimer	D13173	0	Already counted with prior signature
Sandra K. Holzheimer	C12032	1	Signed as Trustee of the Don C. and Sandra K. Holzheimer Living Trust
Sandra K. Holzheimer	D13173	0	Already counted with prior signature
Scherer, Lee Robert	C11919B	0	Already counted with prior signature
Scherer, Lee Robert	D04546	0	Already counted with prior signature
Scherer, Denise B.	C11919B	1	
Scherer, Denise B.	D04546	0	Already counted with prior signature
Holzeimer Living Trust	C12032	0	Already counted with prior signature
Holzeimer Living Trust	D13173	0	Already counted with prior signature
Holzeimer Living Trust	C12032	0	Already counted with prior signature
Ruble, Sheila	D04537	1	
Ruble, Sheila	D04536	0	Already counted with prior signature

Ruble, Sheila	D04535	0	Already counted with prior signature
Ruble, Sheila	D04538	0	Already counted with prior signature
Holley, Paul W.	C12418	1	Signed as Trustee of the Holley Living Trust
Holley, Paul W.	D04542	0	Already counted with prior signature
Holley, D'Anne K.	C12418	1	Signed as Trustee of the Holley Living Trust
Holley, D'Anne K.	D04542	0	Signed as Trustee of the Holley Living Trust
<b>TOTAL</b>		<b>40</b>	

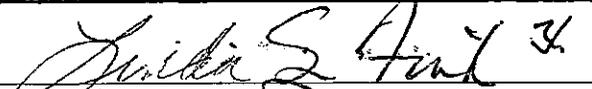
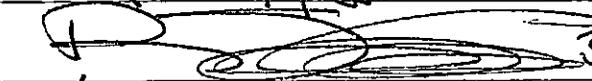
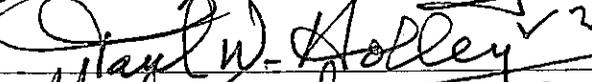
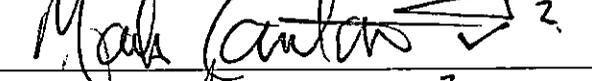
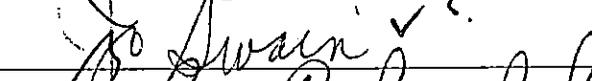
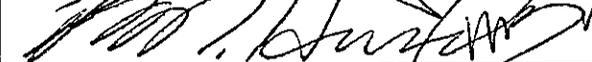
PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
1  ✓	FRED J. MORGENTHAU	4200 NIGHT HAWK ROAD	C12991
2  ✓ 4642 Arapaho	Lawrence Carpenter	7730 Highway 3, Astor	3000884
3  ✓	Kirk Johnson	4175 Night Hawk	C13307
4  ✓	Maile Urbaska	3995 Night Hawk	C12861
5  ✓	Katie Cummings	3960 Night Hawk Rd.	C12860
6  ✓	Bradley J. Fern	4050 Night Hawk Rd.	C12993
7  ✓	Patricia Ninichuck	4205 Night Hawk Rd.	C13306
8  ✓	Jim Baker	4285 Lone Eagle Dr.	C13309
9  ✓?	Lydia Pugh	5225 Alkali Crk Rd.	D11607
10  ✓	DAVID MILROY	4405 NIGHT HAWK RD	C13304
11  ✓	LEE SCHERER	4715 Rockledge Rd	D04546
12  ✓ ✓	Kenneth Aletteras	4315 Lone Eagle Dr.	C12421
13  ✓	Robert Ruble	4938 US Highway 3	D04537
14  ✓ Jonathan	Forrest Hughes	4275 Night Hawk Rd	C13305
15 REESE LEVESSEUR NO	Reese Leveseur	4045 NIGHT HAWK RD.	C12863

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
16 	Linda S. Fink	4801 Hwy 3	D04553
17 	Samuel J. Rice	4510 Night Hawk Rd Billings, MT 59106	C12862
18 	R. Scott Brown	4650 Kestrel Rd Billings, MT 59106	C12181
19  5420 merlot	Gene Kostanek	4290 Lone Eagle Dr Billings	C13308
20 	Don C. Holzheimer	4705 Alkali Creek Rd Bldg 59106	C12032
21 	David W. Fandell	4250 Night Hawk Road Billings, MT 59106	C12290
22 	Marc R. Osborn	4150 Night Hawk Rd	C12992
23  NO	Gene Sullivan	4300 Alkali Creek 59106	C11919
24  NO	Paul W. Holley	4701 Lone Eagle Drive Billings, MT	D04542
25 	Paul W. Holley	4490 Lone Eagle Drive Billings, MT	C12418
26 	Mark Canton	4603 Alkali Creek Road Billings, MT 59106	C12033
27 	Jo Swain	4325 Lone Eagle Dr. Billings, MT	C14785
28 	Richard F. Cebe	4269 Lone Eagle Dr, Billings, MT 59106	C13303
29 	John R. Gregory	4844 US Highway 3 Billings MT 59106	D04540
30 	Robert N. Hurd	5318 Hwy 3 Billings, MT 59106	D04533

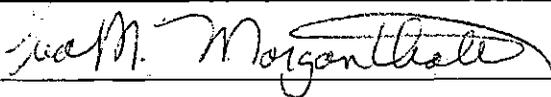
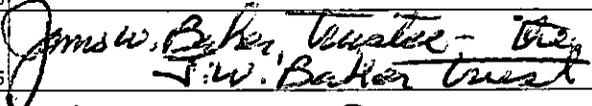
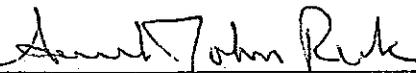
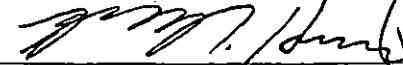
PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

	Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
31	DARLENE & BILL ✓ VANDERLOOS	<del>Darlene</del> Bill Vanderloos	4700 LONE EAGLE DR BILLINGS, MT. 59106	C12780
32	Jeanne Maledge Wisle ✓?	Jeanne Wisle	3216 Alkali Cr. Rd Billings, MT 59105	D04531A
33	Christa Ezzelby ✓?	Christina Ezzelby	4770 Rockledge Rd Billings, MT 59106	D04545
34	Jane T Haynes ✓?	JONATHAN T HAYNES	5035 ALKALI CR RD BILLINGS MT 59106	D11609
35	Bill Cebull	Brian R. Cebull	4690 Rockledge Rd. Billings, MT 59106	D04547
36	Ruby Vance ✓	ROBERT NANCE	5033 Highway 3 Billings MT 59106	D04548
37	James Alexander ✓	James Alexander	4095 Night Hawk Rd 59106	C12864
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45				

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
1 	✓ EVA M. MORGENTHALER	4200 NIGHT HAWK ROAD	C12991
2	DON & SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
3	DON & SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
4	DON & SANDRA HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
5	DON & SANDRA HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
6 	✓ JAMES W. BAKER, TRUSTEE OF THE J.W. BAKER TRUST	4285 LONE EAGLE DRIVE	C13309
7 	✓ SAMUEL <sup>JOHN</sup> BECK	4010 NIGHT HAWK ROAD	C12862
8 	✓ KRISTELL PRONGUA RECK	4010 NIGHT HAWK ROAD	C12862
9 	✓ CAROL L. HURD	GEO CODE 3103217201010000	D04534
0 	○ CAROL L. HURD	5318 US HIGHWAY 3	D04533
1 	○ CAROL L. HURD	US HIGHWAY 3 - GEO CODE 3103217240010000	D04533A
2 	✓ ROBERT N. HURD	<del>5318</del> GEO CODE 3103217201010000	D04534
3 	○ ROBERT N. HURD, MD	5318 US HIGHWAY 3	D04533
4 	○ ROBERT N. HURD, MD	US HIGHWAY 3 - GEO CODE 3103217240010000	D04533A
5			

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
16 <i>Lawrence W Carpenter</i>	✓ LAWRENCE W. CARPENTER	GEO CODE 3113125104010000	D06922
17 <i>Lawrence W Carpenter</i>	○ LAWRENCE W. CARPENTER	GEO CODE 3113230201016000	D13079
18 <i>Lawrence W. Carpenter</i>	○ LAWRENCE W. CARPENTER	GEO CODE 3113230305010000	D13080
19 <i>M Kristine Carpenter</i>	✓ M. KRISTINE CARPENTER	GEO CODE 3113125104010000	D06922
20 <i>M Kristine Carpenter</i>	○ M. KRISTINE CARPENTER	GEO CODE 3113230201016000	D13079
21 <i>M Kristine Carpenter</i>	○ M. KRISTINE CARPENTER	GEO CODE 3113230305010000	D13080
22 <i>Don C Holzheimer Trustee of Don and Sandra K Holzheimer Living Trust</i>	✓ DON C. HOLZHEIMER TRUSTEE OF DON C. HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
23 <i>Don C Holzheimer Trustee of Don C Holzheimer and Sandra K Holzheimer Living Trust</i>	○ DON C. HOLZHEIMER TRUSTEE OF DON C. HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
24 <i>Sandra K Holzheimer Trustee of Don C Holzheimer and Sandra K Holzheimer Living Trust</i>	○ SANDRA K HOLZHEIMER TRUSTEE OF DON C. HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
25 <i>Sandra K Holzheimer Trustee of Don C Holzheimer and Sandra K Holzheimer Living Trust</i>	○ SANDRA K HOLZHEIMER TRUSTEE OF DON C. HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
26 <i>[Signature]</i>	✓ LEE ROBERT SCHERER	GEO CODE 3103204301110000	C11919B
27 <i>[Signature]</i>	○ LEE ROBERT SCHERER	4715 ROCKLEDGE ROAD	D04546
28 <i>Denise B Scherer</i>	✓ DENISE B. SCHERER	GEO CODE 3103204301110000	C11919B
29 <i>Denise B Scherer</i>	○ DENISE B. SCHERER	4715 ROCKLEDGE ROAD	D04546
30			

PETITION TO CREATE A FIRE-SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
Don E. Holzheimer Trustee of	DON C. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
Don and Sandra Holzheimer Living Trust	DON C. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	GED CODE 3103205401310000	D13173
Don and Sandra Holzheimer Living Trust	SANDRA K. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
Sandra K. Holzheimer Trustee of	SANDRA K. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	GED CODE 3103205401310000	D13173
Don and Sandra Holzheimer Living Trust	SANDRA K. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	GED CODE 3103205401310000	D13173
Don and Sandra Holzheimer Living Trust	Sheila Ruble	4938 US HIGHWAY 3	D04537
Sheila Ruble	SHEILA RUBLE	GED CODE 3103217309010000	D04535
Sheila B. Ruble	SHEILA B. RUBLE	US HIGHWAY 3	D04536
Sheila B. Ruble	SHEILA B. RUBLE	GED CODE 3103217412010000	D04538
Sheila B. Ruble	SHEILA B. RUBLE	GED CODE 3103217301010000	C12418
Paul W. Holley Trustee	PAUL W. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	4490 LONE EAGLE DRIVE	D04542
Holley Living Trust	PAUL W. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	GED CODE 3103217119010000	C12418
Paul W. Holley Trustee	D'ANNE K. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	4490 LONE EAGLE DRIVE	D04542
Holley Living Trust	D'ANNE K. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	GED CODE 3103217119010000	D04542
D'Anne K. Holley, Trustee	D'ANNE K. HOLLEY, TRUSTEE HOLLEY LIVING TRUST		
Holley Living Trust			

**YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**

Resolution No. 16- \_\_\_\_

**Amended Resolution of Intent to Create Fuego Fire Service Area**

WHEREAS, Section 7-33-2401(1) of the Montana Code Annotated gives a board of county commissioners the authority to create a fire service area upon receipt of a petition to create the area by the property owners in the proposed area. Section 7-33-2401(2) of the Montana Code Annotated requires a board of county commissioners to (1) pass a resolution of intent to create the area; (2) hold a public hearing no earlier than 30 or later than 90 days after passage of the resolution of intent; (3) at the public hearing, accept written protests and comments related to the creation of the area and (4) pass a resolution to create the area. The creation of the district is effective 60 days after passage of the resolution unless by that date more than 50% of the property owners in the proposed district have protested the creation of the district.

WHEREAS, on November 15, 2016 the Yellowstone County Board of County Commissioners received a petition to create the Fuego Fire Service Area to provide wildfire protection in an area north of Billings. Attached is (1) a copy of the petition, (2) a map of the proposed area, (3) a list of the properties and property owners in the proposed area, (4) a proposed contract for services for the proposed area and (5) a summary as to the projected finances of the proposed area.

Entity:	Fire Service Area
Location:	North of Billings.
Service:	Wildfire Protection. Fuego Inc., a volunteer fire company, will provide the Area with wildfire protection through a contract. Fire protection for structures will not be provided.
Management:	An appointed board of trustees
Existence:	Perpetual
Assessment:	\$0.15 per acre up to a maximum of \$250.00 for a property owner. Board may adjust the assessment schedule annually. The Area will also contract with the County to provide general fire wildfire protection throughout the County for a fee.

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners intends to create the Fuego Fire Service Area to provide wildfire protection in an area north of Billings as indicated in the petition to create the area. On December 20, 2016, the Board will hold a public hearing on the proposed creation of the Area. At the hearing, the Board will receive protests and comments on the proposed area. The Board orders the Yellowstone County Clerk and Recorder to provide notice of the hearing. After the hearing, if the Board believes the proposed area is in the best interest of the public, the Board will pass a resolution to create the Area. If the Board passes a resolution to create the Area, the Area will be created 60 days after passage of the resolution unless by that date more than 50% of the property owners in the proposed area have protested the creation of the Area. The Area will begin its assessments in 2017.

The Board cancels the initial public hearing set for the Area on November 22, 2016.

Passed and Adopted on the 15<sup>th</sup> day of November 2016

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

\_\_\_\_\_  
John Ostlund, Chairman  
Yellowstone County Commissioner

\_\_\_\_\_  
James E. Reno, Member  
Yellowstone County Commissioner

\_\_\_\_\_  
Robyn Driscoll, Member  
Yellowstone County Commissioner

Attest:

\_\_\_\_\_  
Jeff Martin  
Yellowstone County Clerk and Recorder

**Chronology**

Agenda – November 7, 2016

Resolution of Intent – November 15, 2016

Publication of Notice – November 18, 2016 and November 25, 2016

Public Hearing and Resolution – December 20, 2016 (35 days from Resolution of Intent)

Resolution Effective – February 18, 2017 (60 days from Resolution)

Return to Board – February 21, 2017

**Documents**

Petition

Map

List of Properties and Property Owners

Draft Contract

Finance Summary

Resolution of Intent

Notice

Resolution

Resolution as to Protests

**B.O.C.C. Regular**

**Agenda Item 3.**

**Meeting Date:** 11/15/2016

**SUBJECT:** Bar 11 Subdivision - Preliminary Major Plat

**THROUGH:** Candi Millar

**FROM:** Dave Green

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**TOPIC**

Bar 11 Subdivision - Preliminary Major Plat

**INTRODUCTION**

On September 1, 2016 Performance Engineering and Consulting for Production Consulting, LLC, applied for preliminary major plat approval for Bar 11 Subdivision. The proposed plat creates 162 lots for single-family residences on approximately 206 acres of land. The subject property is generally located approximately .25 miles west of Bitterroot Drive, north of Highway 312 approximately 1 mile, and north of Billings Heights. The property is zoned Residential 9600. The Yellowstone County Board of Planning conducted a public hearing on October 25, 2016. The Board of County Commissioners is scheduled to act on the proposal at this meeting.

**RECOMMENDATION**

The Planning Board recommends that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Bar 11 Subdivision and adopt the Findings of Fact as presented in the staff report.

**VARIANCE REQUESTED**

No variances have been requested from the Yellowstone County Subdivision Regulations for this proposal.

**PROPOSED CONDITIONS OF APPROVAL**

Pursuant to Section 76-3-608(4), MCA, the following conditions are recommended to reasonably minimize potential adverse impacts identified within the Findings of Fact.

1. To provide for the correct installation of water lines, prior to final plat approval the applicant will provide a signed letter from the Heights Water District office

that they have met all the requirements of the Heights Water District for installation of water lines for the proposed subdivision.

2. To minimize the effects on the natural environment, prior to final plat approval the applicant will obtain approval from the MDEQ for the proposed septic system placement. They will also receive approval for the storm water systems from the MDEQ and meet the requirements of Yellowstone County Storm Water Management.
3. To mitigate impacts on local services, prior to final plat approval the subdivider shall create a Rural Special Improvement District – Maintenance (RSID-M) for future maintenance of the new roads.
4. To provide proper documentation and creation of roads outside the subdivision, prior to final plat approval the applicant will provide all documents for the required road rights of way for Plateau Road, Bull Park and Hawthorn Lane that extend outside of the subdivision but will provide service to and for the subdivision.
5. To mitigate impact to the parks used in the subdivision and to ensure park land is able to be maintained, prior to final plat approval the applicant will create a Parks Maintenance District to provide for the maintenance of new parks in the subdivision.
6. To minimize the effects on local services, prior to final plat approval the subdivider shall provide written verification that the US Postal Service has approved the mail facilities and their location for this subdivision.
7. To minimize the effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be approved by the County Weed Department.
8. To provide for the installation of the needed private utilities within the subdivision, prior to final plat approval the applicant will coordinate with private utility companies and provide easements on the plat, if needed, and easement documents for those easements.
9. Minor changes may be made in the SIA and final documents, as requested by the Planning and/or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
10. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, and the laws and Administrative Rules of the State of Montana.

## **PROCEDURAL HISTORY**

- A pre-application meeting was held on July 7, 2016 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on September 1, 2016.
- A departmental review meeting was conducted on September 15, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on September 22, 2016.
- The Planning Board reviewed the plat on Wednesday, October 12, 2016.

- The Planning Board conducted a public hearing on October 25, 2016, and forwarded a recommendation to the Board of County Commissioners.
- The Board of County Commission will consider the preliminary plat at its regular meeting on November 15, 2016.
- The 60 working-day preliminary plat review period ends December 1, 2016.

## **PLAT INFORMATION**

General location: Generally located approximately .25 miles west of Bitterroot Drive, north of Highway 312 approximately 1 mile, and north of Billings Heights

Legal Description: Tracts 1-A, 2-A, 3-A, 4-A, 5-A-1, 6-A, 7-A, 8-A, 9, 10-A, 10-B, 11 and 12-B of C.O.S 1420 and the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4, Section 2, Township 1N, Range 26E.

Owner/Subdivider: Production Consulting, LLC / Production Consulting, LLC

Surveyor/Engineer: Performance Engineering and Consulting

Existing Zoning: Residential 9600

Proposed Zoning: Residential 9600

Existing Land Use: Vacant / Dry land grazing

Proposed Land Use: Single-family residences

Gross area: Approximately 206.22 acres

Net area: Approximately 158.22 acres

Proposed number of lots: 162

Max.: 4.22 acres

Min.: .49 acres

Parkland requirements: Parkland dedication requirement: 17.4 acres, subdivision is providing 18.22 acres.

## **PLANNING BOARD PUBLIC HEARING DISCUSSION**

Staff provided a brief presentation about the proposed subdivision. After the presentation, Board President Darell Tunnickliff opened the discussion to questions from the board. The board did not have any questions for staff. President Tunnickliff opened the public hearing portion of the meeting for comment.

A few surrounding neighbors asked three specific questions. One question was regarding the existing roads and whether they be rebuilt or expanded with this subdivision? They also asked if the water lines would be available to their properties so they would be able to hook up to Heights Water? Lastly, they asked what impact the new subdivision would have on Independent School?

The applicants' agent stood to address the questions. He stated that the subdivider will be building the new roads, or extensions of the existing roads, for the subdivision to Yellowstone County road standards, but the existing roads

would not be rebuilt by this developer. Regarding the water, he stated that it was his understanding that Heights Water has future plans for an additional water storage tank in the area and that water lines would become available to others in the area with the extensions by the subdivision and the added Heights Water District reservoir project should property owners wish to connect to Heights Water. He also stated it would be best to contact Heights Water for their future plans and what it would take to be connected. He did not address the question about the school because the information was not available to him. There were no other questions for the applicants' agent and the public hearing was closed.

Planning staff read from the staff report regarding Independent School. Independent School staff stated the school has capacity for students from the proposed subdivision. However, the school does not have a bus route in the area and will not be creating one for this new subdivision.

A motion was made by Board Member David Goodridge to forward a recommendation of conditional approval of the subdivision to the Board of County Commissioners. It was seconded by Board Member LaVerne Bass. The motion was passed unanimously by a voice vote.

## **YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS FINDINGS OF FACT**

See Attachment 'Findings of Fact'

### **CONCLUSIONS OF FINDINGS OF FACT**

- The Bar 11 Subdivision does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the 2008 Growth Policy, the 2014 Transportation Plan and the BAPTMP.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

### **RECOMMENDATION**

The Planning Board recommends that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Bar 11 Subdivision and adopt of the Findings of Fact as presented in the staff report.

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## Attachments

Findings of Fact

Bar 11 SIA

Aerial View of Site

Proposed Plat

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**YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**  
**FINDINGS OF FACT**

The Findings of Fact for the preliminary plat of Bar 11 Subdivision have been prepared by the Planning Division staff on behalf of the Yellowstone County Board of Planning. These findings are based on the preliminary plat application and address the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

**A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health and safety (76-3-608(3)(a), MCA) (Section 3.2(H)(2), YCSR)**

**1. Effect on agriculture and agricultural water users' facilities**

The subject property has been historically used for some grazing land but generally has been open grass land. The properties directly south are also mostly dryland grass properties with some houses on very large parcels. Farther east on Bitterroot Drive there is some housing. North and west is more dryland grass areas. This area has not developed for residential use as much as the areas closer to Highway 312.

There are no ditches running through these properties.

**2. Effect on local services**

- a. **Water and Sewer** – This subdivision is proposing to obtain service from the Height Water District. They are proposing to install a 12 inch mainline from the existing Heights Water Districts tank that is south of the subject subdivision. The applicant is proposing to install the infrastructure with pipes and a pump booster station to get water to the subdivision from the Heights Water District. There will be water lines installed throughout the subdivision that will include fire hydrants for fire suppression purposes. Installation of the water lines and pump will be required to meet all specifications of Heights Water District (**Condition #1**).

Individual septic systems are proposed for sanitary sewer needs. These systems and their location will be reviewed and approved by the Montana Department of Environmental Quality (MDEQ) prior to final plat approval (**Condition #2**).

- b. **Streets and roads** – The proposed subdivision at this time is accessible from Plateau Road that connects to Bitterroot Drive. Because of the size of this subdivision they are required to have 2 ways into and out of the subdivision. They are proposing to connect to Plateau Road from the northeast corner of the proposed subdivision. The proposed second way in and out will be by connecting Bar 11 Drive to Windy Point Way to Bull Park to Hawthorne Lane from the south and east edge of the subdivision. Hawthorne Lane connects to Rawhide Strip; Rawhide Strip intersects with Bitterroot Drive from the west. In Phase 1, this southern connection will be a gravel surface road built to County standards. All proposed lots shall be accessed from new internal roads dedicated to the public.

The new roads in the subdivision will be built to County residential paved road standards, in two phases, within a 60-foot right of way. An RSID-M for maintenance of the new roads will need to be established (**Condition #3**).

There are two proposed roads for this subdivision that are outside the applicants' property, Hawthorne Lane and Bull Park. These two roads are on other people's property and provide a second way in and out of the proposed Bar 11 Subdivision. Hawthorne Lane right of way is required to be able to install a water line since Heights Water District requires that all of its water lines are within road rights of way. Hawthorne Lane itself could be built at a later date, if the properties it goes through are developed in the future. Bull Park is the road that the applicant is using to provide a second way into and out of the subdivision. This road is proposed to be another main road into the subdivision, which is required by Yellowstone County Subdivision Regulations and the BUFSA. This road also runs through other people's property, but is a benefit to this applicant and is required for the development. Before final plat approval of Bar 11 Subdivision, the applicant will be required to dedicate or provide via public easement to the public (Yellowstone County) rights of way for Bull Park and Hawthorne Lane (**Condition #4**).

The Traffic Impact Study (TIS) that was submitted with this proposed subdivision used existing traffic conditions on Bitterroot Drive and Rawhide Strip to Hawthorne Lane. All traffic would come off of Bitterroot Drive from Highway 312. At full build out, residents of Bar 11 subdivision would be able to get to the subdivision by either using access from Bitterroot Drive onto Rawhide Strip or from Bitterroot Drive onto Plateau Road.

In the summary of the Traffic Impact Study it states; 'The development of Bar 11 Subdivision would have no impacts on the surrounding roadway system.' The findings state that the impact of this subdivision on the road system in the area would cause the system to remain operating at an acceptable level of service of B or better.

- c. **Fire and Police Services** – The property is within the Billings Urban Fire Service Area (BUFSA) jurisdiction and the BUFSA will provide fire service. It is the subdivider's responsibility to ensure provisions of a water source and adequate access to the proposed lots for emergency service needs. This subdivision proposes to have Height Water District service throughout and will provide fire hydrants as required by BUFSA throughout the subdivision. This proposed subdivision is being done in two phases. With the construction of Phase 1, the applicant will be providing an access to provide a second way into the subdivision. The second access will be a gravel road from the intersection of Windy Point Way and Bar 11 Drive out through Bull Park to the existing Hawthorn Lane. This road will meet the requirements of BUFSA and Yellowstone County Subdivision Regulations for a secondary access into the subdivision. This road will be paved with the completion of Phase 2.

The Yellowstone County Sheriff's Department will provide law enforcement services.

- d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.
- e. **Storm water drainage** – All storm water drainage shall satisfy storm water management requirements and specifications of MDEQ. The water is proposed to be absorbed on-site in the ditches along the paved road within the public right-of-way (**Condition #2**).
- f. **School facilities** – The proposed subdivision is located in School District #52 for Elementary, Independent School, and School District #2 for Middle School, Medicine Crow, and High School, Skyview. Independent Elementary School responded that they have additional capacity for more students. The proposed subdivision is not on an existing bus route and they will not be establishing one. Staff received comments from Skyview High School stating they have additional capacity for students. They also do not have a bus route in the area and will not be establishing one. Staff did not receive comment from Medicine Crow Middle School at the time this staff report was written.
- g. **Parks and recreation** – This proposed subdivision is required to provide park land for the subdivision based on the size of the lots. Pursuant to Section 10.2, YCSR and 76-3-621, MCA the amount of park land required is a total of 17.4 acres, the applicant is proposing to dedicate 18.22 acres. They are proposing a large park on the west edge of the subdivision and a smaller one on the east edge of the subdivision. The applicant will need to create a County Park Maintenance District for maintenance of the new parks in the subdivision (**Condition #5**).
- h. **Historic features** – No known historical or cultural assets exist on the site. The land has been dry land grass acreage for many years.
- i. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision and has requested the installation of centralized mailbox units (CBUs). The developer will work with the USPS to identify appropriate locations of CBUs prior to final plat approval (**Condition #6**).
- j. **Phasing** – The subdivider is planning to develop this property in two phases. Phase one includes Lots 1-10, Block 1; Lots 1-18, Block 2; Lots 1-11, Block 3; Lots 1-18, Block 4; Lots 1-19, Block 5; Lots 1 & 12, Block 6; Lots 1 & 12, Block 7 and Lots 1-4, Block 9. Internal road that will be built in Phase 1 include Plateau Road from Bitterroot Drive to Lot 2, Block 6; Muckle Trail from the intersection

of Bar 11 Drive to Lot 11, Block 6; all of Big Cedar Way; Bar 11 Drive from the intersection of Plateau road to Lot 11, Block 7 and all of Derby Avenue. Also included in Phase 1 the applicant will be building a gravel road, built to County standards, from the intersection of Windy Point Way and Bar 11 Drive out through Bull Park to the existing Hawthorn Lane. This road will meet the requirements of BUFSA and Yellowstone County Subdivision Regulations for a secondary access into the subdivision. This road will be paved with the completion of Phase 2.

Phase two includes Lots 11-20, Block 1; Lots 2-11, Block 6; Lots 2-11, Block 7; Lots 1-6, Block 8; Lots 5-17, Block 9; Lots 1-25, Block 10 and Lots 1-4, Block 11. Phase 2 will complete the paving of the remaining roads in the subdivision including Bull Park and complete a paved connection to Hawthorne Lane.

See attached map for the proposed phases. The subdivider will be providing all the needed paperwork for the phased development of this subdivision prior to final plat approval.

### **3. Effects on the natural environment**

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed. A weed management plan will be completed and a property inspection done prior to final plat approval (**Condition #7**).

There are no apparent or known natural hazards on the property.

### **4. Effects on wildlife and wildlife habitat**

There are no known endangered species on the property. Montana Fish, Wildlife, and Parks (FWP) responded to a request for review and comment on the proposed subdivision. It stated that there are deer and antelope in the area and homeowners should be made aware that unless they take steps to deter animals such as fencing their yards they may experience damage problems. A paragraph to this effect is found within the SIA to help inform future landowners.

### **5. Effects on public health and safety**

Plans and designs for use of the proposed septic systems will be reviewed and approved by MDEQ prior to final plat approval. Fire and emergency services are provided for this proposed subdivision.

### **B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-616, MCA) (Chapter 9, YCSR)**

An Environmental Assessment (EA) was not required for this subdivision pursuant to Section 9.2 C 3. It is within a zoned area of the county and in an area where a growth policy has been adopted.

**C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy Update, the 2014 Billings Urban Area Long Range Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? (Section 3.2 (H)(4), YCSR)**

**1. Yellowstone County – City of Billings 2008 Growth Policy Update**

- **Goal: Predictable land use decisions that are consistent with neighborhood character and land use patterns. (p. 6)**

*This subdivision will create 162 lots of approximately .5 acres to just over 4 acres for single family residences, consistent with the immediately surrounding neighborhood.*

- **Goal: New developments that are sensitive and compatible with the character of adjacent County townsites. (p. 6)**

*There are similarly sized lots containing single-family homes to the east of the proposed subdivision.*

- **Goal: More housing and business choices within each neighborhood. (p. 6)**

*The proposed subdivision will create 162 additional lots in this area.*

**2. 2014 Billings Urban Area Long-Range Transportation Plan**

The subject property is within the study area of the Transportation Plan. The subdivision itself is not identified on the Transportation Plan Map. Bitterroot Drive is identified as a minor arterial in the area. All streets in the subdivision will be local residential streets and not part of the hierarchy of streets identified by the Long-Range Transportation Plan.

**3. Billings Area Bikeway and Trail Master Plan (BABTMP)**

The subject property is outside the study area for the Billings Area Bikeway and Trail Master Plan. The applicant is not proposing any bike trails in the subdivision. The applicant is providing a 20-foot-wide easement for future connection to the south. This easement will allow future trail connection to the south and could provide a trail to students going to Independent School south of this subdivision.

**D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [76-3-608(3)(b), MCA and Section 3.2(3)(a), YCSR]**

The proposed subdivision meets the requirements of the MSPA and the YCSR. The subdivider and the local government have complied with the subdivision review and approval procedures that are set forth by local and state subdivision regulations.

**E. Does the subdivision conform to sanitary requirements? [Section 4.8(C) and 4.9 (C), YCSR]**

The subdivider must receive approval from MDEQ for the proposal to make use of the proposed community water system and septic systems for the new lots, prior to final plat approval.

**F. Does the proposed subdivision meet any applicable Zoning Requirements? [Section 3.2(H)(3)(e), YCSR]**

The subdivision is in the County's zoning jurisdiction and is zoned Residential 9600, this zoning has requirements for structure setbacks from property lines, lot coverage and maximum heights. There is a paragraph in the SIA that alerts future home owners of the need for a zoning compliance permit.

**G. Does the subdivision provide for necessary planned utilities? [76-3-608(3)(c), MCA and Section 3.2 (H)(3)(b), YCSR]**

Utility easements shall appear on the face of the final plat as requested by utility companies providing private utilities to the subdivision and be accompanied by easement documents (**Condition # 8**).

**H. Does the proposed subdivision provide for legal and physical access to all lots? [76-3-608 (3)(d), MCA and Section 3.2 (H)(3)(c)(d), YCSR]**

Legal and physical access will be provided for the proposed lots from the new public internal streets, which originate off of Bitterroot Drive.

**CONCLUSIONS OF FINDINGS OF FACT**

- The Bar 11 Subdivision does not create adverse impacts that warrant denial of the subdivision.
- Impacts to agriculture, agriculture water user facilities, local services, public health and safety, the natural environment, and wildlife should be minimal. Impacts identified can be mitigated by reasonable conditions of final plat approval.
- The subdivision conforms to some of the goals of the 2008 Growth Policy, the 2014 Transportation Plan and the BABTMP.
- The applicant has complied with the MSPA and YCSR processes and the subdivision conforms to the law requirements.

**RECOMMENDATION**

The Planning Board recommends that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Bar 11 Subdivision and adopt of the Findings of Fact as presented in the staff report.

**SUBDIVISION IMPROVEMENTS AGREEMENT**  
**Bar 11 Subdivision**  
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**Yellowstone County**

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# SUBDIVISION IMPROVEMENTS AGREEMENT

## Bar 11 Subdivision

**This agreement** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between *Production Consulting, LLC*, whose address for the purpose of this agreement **3201 HESPER ROAD SUITE 5, BILLINGS, MT 59102**, is hereinafter referred to as “Subdivider,” and **YELLOWSTONE COUNTY, Montana**, hereinafter referred to as “County.”

### WITNESSETH:

**WHEREAS**, at a regular meeting conducted on \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the Board of Planning recommended conditional approval of a preliminary plat of *Bar 11 Subdivision*; and

**WHEREAS**, at a regular meeting conducted on \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of *Bar 11 Subdivision*; and

**WHEREAS**, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat.

**WHEREAS**, the provisions of this agreement shall be effective and applicable to *Bar 11 Subdivision* upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

**THEREFORE, THE PARTIES TO THIS AGREEMENT**, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

### **I. VARIANCES**

A. Subdivider has not requested any variances from the Yellowstone County Subdivision Regulations.

### **II. CONDITIONS THAT RUN WITH THE LAND**

A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

- B.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.
- C.** No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.
- D.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and Owner specifically agree that they are waiving valuable rights and do so voluntarily.
- E.** Culverts and associated drainage swales shall not be filled in or altered by the Subdivider or subsequent lot owners.
- F.** When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside the public right-of-way at no cost to the County and any relocation outside the public right-of-way shall be subject to securing and recording easements.
- G.** Future maintenance of all public (or common) improvements shall be done through one (1) or more RSID(s) created as part of the SIA for this subdivision.
- H.** Lot owners are responsible for having a Montana Registered Professional Engineer inspect and provide as-built certification that the improvements for the subsurface wastewater treatment systems (drainfields) are constructed as shown on the Drainfield Plans as required by Montana Department of Environmental Quality (MDEQ) at the time of septic permitting.
- I.** Lot owners are prohibited from building structures on the areas identified as primary drainfield and replacement drainfield on the MDEQ Certificate of Subdivision Approval exhibit.
- J.** Lot owners are responsible for obtaining a Zoning Compliance Permit prior to the construction of any structure on lots.

### **III. TRANSPORTATION**

The Subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

#### **A. Streets**

1. The subdivision will connect to Bitterroot Drive by way of Plateau Road and Hawthorne Lane. A series of internal streets will allow traffic to travel within the subdivision.
2. All roads within the subdivision shall be built to grade with a satisfactory subbase, base course and asphalt surface. The street design cross-section shall be a 24-foot asphalt width street with 2-foot wide gravel shoulders. The design cross-sections of said streets shall be submitted to, and approved by, Yellowstone County Public Works. An RSID will be created for future maintenance of all public (or common) constructed improvements prior to final plat approval.
3. All internal roads shall have 60-foot wide dedications.

#### **B. Traffic Control Devices**

1. Street name and stop signs for streets within the subdivision, or located immediately adjacent thereto, shall be furnished and installed in accordance with the specifications of the Yellowstone County Public Works Department.
2. No traffic signals are anticipated within this subdivision.
3. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices and approved by the Yellowstone County Public Works Department.

#### **C. Access**

1. Access to Bar 11 Subdivision will be provided from the east via Plateau Road and from the south via Hawthorne Lane for Phase 1. Phase 2 will include an additional access to the southwest portion of the subdivision that branches off to the west from Hawthorn Lane.

#### **D. Billings Area Bikeway and Trails Master Plan (BABTMP)**

1. No bike trail is identified in the area of this subdivision and no trail easement is being provided.

### **IV. EMERGENCY SERVICE**

The Billings Urban Fire Service Area (BUFSA) currently provides fire protection and paramedic services for the subdivision.

At the time of future lot development construction of buildings made of combustible materials shall have adequate fire apparatus access roads and fire hydrant(s) in place to allow for fire suppression requirements. Prior to issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire

apparatus access roads, and water supply requirements shall be provided in accordance with the International Fire Code as adopted by the Billings Urban Fire Service Area.

At a minimum, the following is required:

2. An unobstructed gravel road or gravel road base must be within 150-feet of the furthest portion of a building under construction as measured along an approved route.
3. The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of 20-feet-wide.
4. An operational fire hydrant shall be located within 600-feet of the furthest portion of a residence under construction or within 400-feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
5. The above requirements do not alter or effect the current minimum subdivision requirements for apparatus access and water supply.

**A. Urban Wildland Interface Code requirements (required for highly wooded areas)**

The Urban Wildland Interface Code requirements are not applicable to the Bar 11 Subdivision.

**V. STORM DRAINAGE**

- A. All drainage improvements shall comply with the provisions of the Section 4.7 of the Yellowstone County Subdivision Regulations, and a stormwater management plan shall be submitted to and approved by MDEQ, or its designee.
- B. Stormwater surface runoff will be handled by on-site absorption. All improvements in the public right-of-way, including driveways and culverts, will be in accordance with plans and specifications as approved by MDEQ Approved Drawings at the time of construction. A preliminary hydrology and hydraulics model was developed for the proposed development per the rules published by MDEQ. The results show that the road-side ditches will have the capacity to convey and store stormwater within the boundaries of the subdivision meeting MDEQ rules and regulations.

**VI. UTILITIES**

**A. Water**

The subdivision will be served by 8-inch and 12-inch mains placed within the roadways. The 12-inch mainline will connect to the existing Heights Water District water tank located south of the property. The District modeled the hydraulic conditions of the existing system with the proposed subdivision. The results of the model showed that the District has adequate capacity to provide water to the subdivision with a developer provided booster station. Valves and hydrants will be

placed to meet Heights Water District and Montana DEQ standards, rules, and regulations.

**B. Sanitary Sewer**

Public sanitary sewer disposal facilities are not available to lots within the Bar 11 Subdivision at this time. Individual on-site sewer systems shall be installed as approved by the County Sanitarian and the Montana Department of Environmental Quality.

**C. Power, Telephone, Gas, and Cable Television**

Power, Telephone, gas, and cable utility services will be located within the public-right-of-ways.

**D. Mail Boxes**

A centralized, or multiple centralized (as requested by the United States Postal Service) mail delivery box(es) shall be provided for the subdivision as required by the United States Postal Service.

**E. Maintenance**

Maintenance of the streets shall be the responsibility of the Rural Special Improvement District for Maintenance (RSID-M) as described in Section IX of this agreement.

**VII. PARKS/OPEN SPACE**

The parkland requirement for the Subdivision was met with 18.22 acres of public park area. The calculation of the parkland area was based on 11% of the area of the net land proposed to be subdivided. This results in a parkland requirement of 17.40 acres. A Park Maintenance District will be created prior to approval of the plat. Access to the park on the west side of the subdivision will be via a 20-foot easement from a parking lot. The easement will be wide enough for emergency vehicles to access the park. Access to the park in the northeast portion of the subdivision will be via Plateau Road. Neither park will allow for motorized vehicle use. The large park on the west will remain with native vegetation while the park in the northeast will be landscaped with a pavilion and amenities. The developer will add four feet along the main interior roadway to connect the two parks. Asphalt debris currently located in the northeast park will be removed of and disposed off-site.

**VIII. IRRIGATION**

There are no irrigation ditches within the subdivision and none of the proposed lots will have water rights assigned to them.

**IX. RURAL SPECIAL IMPROVEMENT DISTRICT FOR MAINTENANCE (RSID-M)**

A Rural Special Improvements District for Maintenance (RSID-M) shall be created by the Subdivider concurrent to the filing of the final plat, which shall include, but not be limited to, the maintenance of all street improvements, as indicated on the plat. The RSID-M boundary shall be created in accordance with the phasing of improvements outlined herein and lots shall not be assessed until subdivision improvements are built to service each lot within its respective phase. The RSID-M boundary shall be expanded in conjunction with the development of each phase.

**X. WEED MANAGEMENT**

- A. All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.
- B. A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.
- C. A revegetation plan shall be resubmitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

**XI. SOILS/GEOTECHNICAL STUDY**

A geotechnical study is not required by the Yellowstone County Subdivision Regulations as part of this plat. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitation for proposed construction on the lots, which may require a geotechnical survey prior to construction.

**XII. PHASING IMPROVEMENTS**

The subdivision will be split into two (2) phases. These the two phases are defined as follows:

- Phase 1: Block 1 – Lots 1-10  
           Block 2 – Lots 1-18  
           Block 3 – Lots 1-11  
           Block 4 – Lots 1-18  
           Block 5 – Lots 1-19  
           Block 6 – Lots 1 & 12  
           Block 7 – Lots 1 & 12  
           Block 9 – Lots 1-4
  
- Phase 2: Block 1 – Lots 11-20  
           Block 6 – Lots 2-11  
           Block 7 – Lots 2-11  
           Block 8 – Lots 1-6  
           Block 9 – Lots 5-17  
           Block 10 – Lots 1-25  
           Block 11 – Lots 1-4

The internal roads of the subdivision that will be constructed during Phase 1 include: Plateau Road from the intersection of Bitterroot Drive to Lot 2 of Block 6, Muckle Trail from the intersection of Poison Park Drive to Lot 11 of Block 6, the entirety of Terror Creek Street, Poison Park Drive from the intersection of Plateau Road to Lot 11 of Block 7, and the entirety of Derby Avenue. The secondary access for emergency services will include the extension of Hawthorne Lane to the intersection of Bull Park, Bull Park to the intersection of Windy Point Way, Windy Point Way to the intersection of Poison Park Drive, entering the Phase 1 portion of the development. This secondary access will be graveled to County Public Works standards.

**XIII. FINANCIAL GUARANTEES**

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the County Public Works Division. Upon completion of the improvements, the consulting engineer shall file with the Public Works Department a statement certifying that the improvements have been completed in accordance with approved record drawings.

**XIV. LEGAL PROVISIONS**

- A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of final acceptance by the County Public Works Department.

- B.** The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.
- C.** The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.
- D.** In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.
- E.** Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.
- F.** Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.
- G.** Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

“SUBDIVIDER”

*Production Consulting, LLC*

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF MONTANA     )  
  : ss  
County of Yellowstone     )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the \_\_\_\_\_ of *Production Consulting, LLC*, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary Public in and for the State of Montana  
Printed Name: \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

This agreement is hereby approved and accepted by Yellowstone County, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

“COUNTY”  
COUNTY OF YELLOWSTONE  
MONTANA

County of Yellowstone  
Board of County Commissioners

By: \_\_\_\_\_  
Chairman

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner



# Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more Rural Special Improvement Districts (RSID's), which Yellowstone County may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

*Bar 11 Subdivision*

Signed and dated this 31<sup>st</sup> day of August, 2016.

“SUBDIVIDER”

*Production Consulting, LLC*

By: Jerry Morrell *Jerry Morrell*

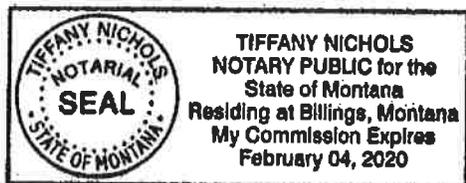
Title: owner

STATE OF MONTANA     )  
  : SS  
County of Yellowstone    )

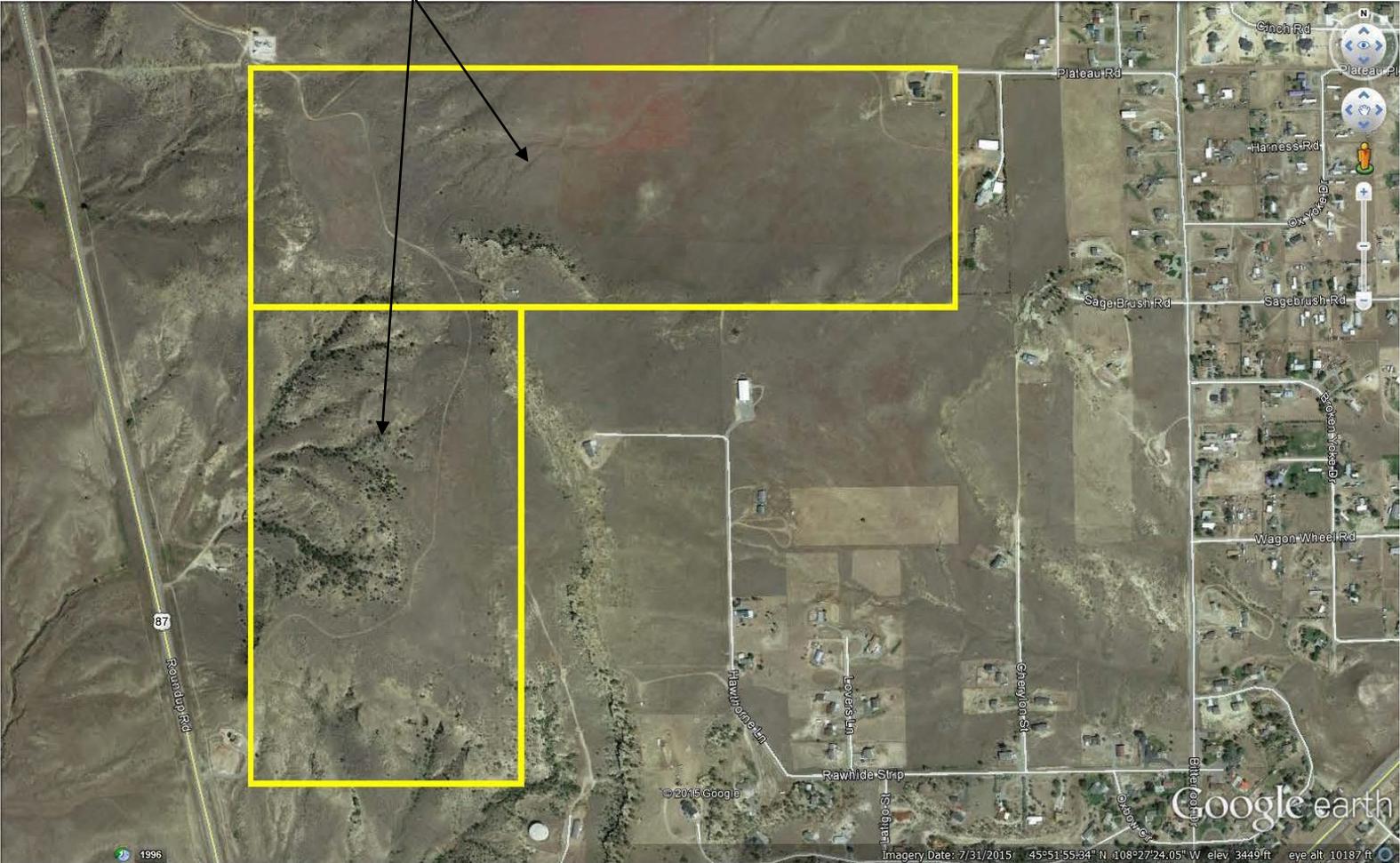
On this 31<sup>st</sup> day of August, 2016, before me, a Notary Public in and for the State of Montana, personally appeared Jerry Morrell, known to me to be the owner of *Production Consulting, LLC*, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

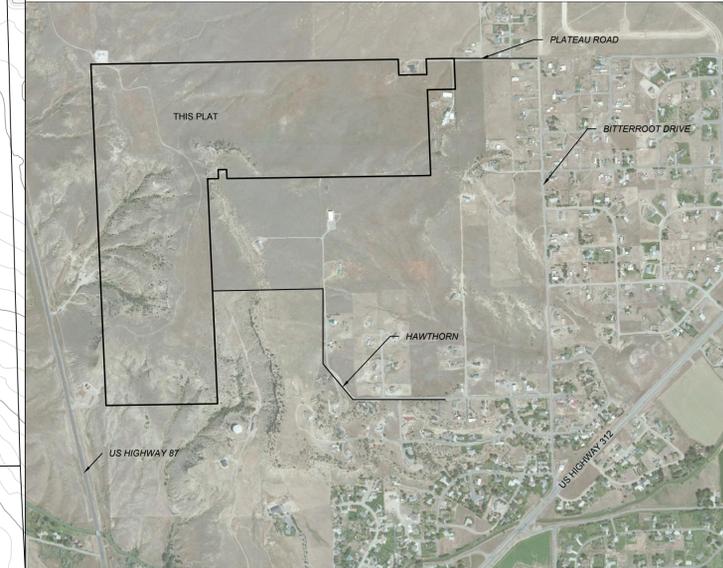
Tiffany Nichols  
Notary Public in and for the State of Montana  
Printed Name: Tiffany Nichols  
Residing at: Billings, Montana  
My commission expires: Feb 4, 2020



Subject Property



PRELIMINARY PLAT OF  
**BAR 11 SUBDIVISION**  
 BEING TRACTS 1A, 2A, 3A, 4A, 5A1, 6A, 7A, 8A, 9, 10A, 10B, 11, 12B OF  
 CERTIFICATE OF SURVEY 1420 AND THE SW 1/4 OF THE NW 1/4 AND THE NW 1/4  
 OF THE SW 1/4 LOCATED IN SECTION 02, T 01 N, R 26 E, P.M.M.,  
 YELLOWSTONE COUNTY, MONTANA



VICINITY MAP  
 NOT TO SCALE

SITE DATA	
# OF OPEN SPACE LOTS	2
# OF RESIDENTIAL LOTS	162
MAX. LOT AREA	4.22 AC
MIN. LOT AREA	0.49 AC
LINEAL FEET OF STREET	20312

AREA DATA	
OPEN SPACE	± 18.19 AC
ROADWAY	± 27.98 AC
GROSS LOTS	± 158.22 AC
TOTAL	± 206.22 AC

EXISTING LAND USE: N/A  
 EXISTING ZONING: RESIDENTIAL 9,600  
 PROPOSED LAND USE: RESIDENTIAL 9,600  
 PROPOSED ZONING: RESIDENTIAL 9,600

PROPERTY OWNER:  
 PRODUCTION CONSULTING, LLC

PRELIMINARY PLAT DATE: July 20, 2016

NOTE: SANITARY SEWER SERVICES ARE TO BE SEPTIC TANKS WITH DRAINFIELD AND REPLACEMENT AREA. SEPTIC TANKS, DRAINFIELD SIZES, AND LOCATIONS WILL BE DETERMINED ON INDIVIDUAL LOT BASIS.

NOTE: STORMWATER DETENTION AND DRAINAGE WILL OCCUR IN ROADSIDE DITCHES ALONG ALL ROADS IN THE PROPOSED SUBDIVISION.

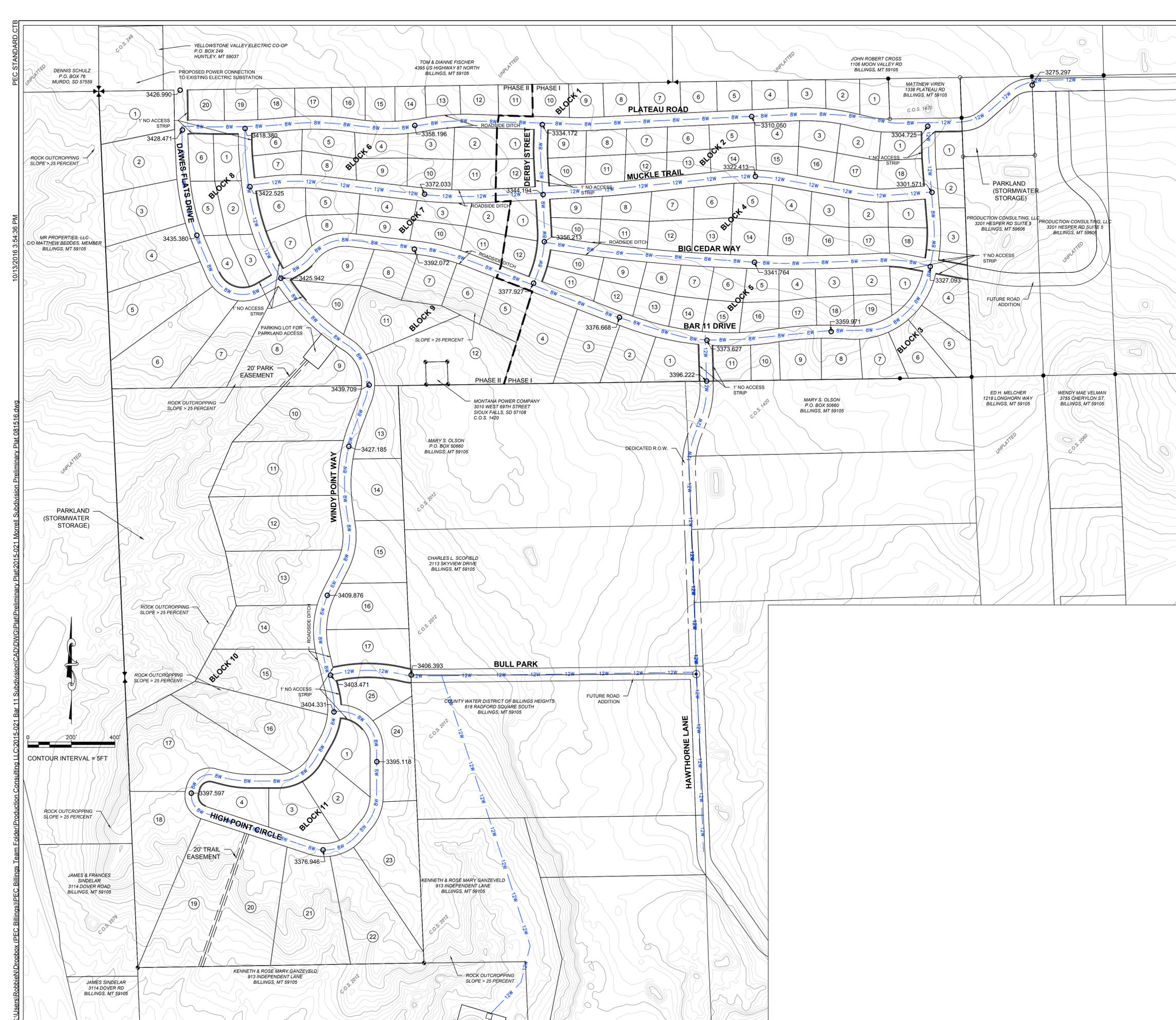
PROJECT TITLE: **BAR 11 SUBDIVISION**

REVISIONS	7100 COMMERCIAL AVE., STE. 4	OFFICE - 406-384-0080	SHEET
DATE	BILLINGS, MT 59101	www.performance-ec.com	
	COPYRIGHT 2016 ©		

PERFORMANCE ENGINEERING & CONSULTING

2015-021 DRAWN BY: RDN CHECKED BY: CPD DATE: 7/19/16

1 OF 2



PEC STANDARD CTD  
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**B.O.C.C. Regular**

Agenda Item 1. a.

**Meeting Date:** 11/15/2016

**Title:** PROPOSAL BY DESIGN 3 ENGINEERING FOR BRIDGE INSPECTIONS

**Submitted For:** James Matteson, Purchasing Agent

**Submitted By:** James Matteson, Purchasing Agent

---

**TOPIC:**

Agreement with Design 3 Engineering for Engineering Inspection of 85 Small Span Bridges in Yellowstone County

**BACKGROUND:**

Proposal by Design 3 Engineering for Engineering Inspections, prepare Reports on County forms, and Compact Disk (CD's)pictorial record of all concerns and recommendations. The cost of the service is \$16,400.00, slightly less than the 2011 cost as there are several bridges that have been converted to culverts and no longer require inspection

**RECOMMENDED ACTION:**

Approve the Proposal and return a copy to the Purchasing Department

---

**Attachments**

Design 3 Inspection Proposal

Design 3 Engineering

---



## DESIGN 3 ENGINEERING

September 8, 2016

Tim Miller  
Yellowstone County Road and Bridge Superintendent  
Yellowstone County Courthouse  
P.O. Box 35005  
Billings, Mt 59107

### **Re: County Short Bridge Inspections**

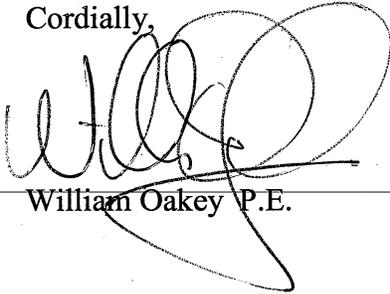
Dear Tim:

This letter is our proposal for the engineering inspection of approximately 85 small span bridges in Yellowstone County. Our fee to do the inspections, prepare reports on the standard County forms and furnish CD's with a pictorial record of all of our concerns and recommendations would be \$16,400. This slightly less than our contract in 2011 as there are several bridges that have been converted to culverts and no longer require inspection.

We would do the inspections of the bridges on natural drainages this fall and on those over canals after the water is out this winter. I anticipate that we would finish and submit the report in late 2016 or early 2017.

Thank you for the opportunity of making this proposal.

Cordially,



William Oakey P.E.

**Standard Form of Agreement between Owner  
and Engineer on the Basis of  
A Stipulated Price**

This agreement is dated as of the 15<sup>th</sup> day of November, 2016 by and between Yellowstone County, Montana (hereinafter called Owner), and Design 3 Engineering, 1211 24<sup>th</sup> Street West, Suite 7, Billings, MT 59102 (hereinafter called Engineer).

Owner and Engineer, in consideration of the material covenants hereinafter set forth, agree as follows:

1. Scope of Work

Engineer shall complete all engineering services as specified or indicated in their proposal dated September 8<sup>th</sup>, 2016 for the inspections, reports, and pictorial record of approximately 85 small span bridges in Yellowstone County

2. Contract Times

The work is to be completed no later than April 31, 2017.

3. Contract Price

Owner shall pay the Engineer and any sub-contractors a total of \$16,400.00 payable when the work is completed, submitted and accepted by the County.

5. Contract Documents

The Contract Documents, which comprise the entire agreement between Owner and Engineer, consist of the following:

5.1 This Agreement.

5.2 Engineer's proposal dated September 8<sup>th</sup>, 2016

6. Miscellaneous

6.1 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without written consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will discharge the assignor from any duty or responsibility under the Contract Documents.

- 6.2 Engineer hereby agrees to defend, indemnify and hold harmless the Owner against claims for injuries to person or damages to property occurred from or in connection with the Contractor's performance under the Agreement. The indemnification and defense obligations under this paragraph of the Agreement shall not be limited by any assertion or finding that the Owner is liable for any damages by reason of a non-delegable duty.
- 6.3 The Engineer agrees to perform the labor and terms of this contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship or status. Nothing in this contract shall be in any way construed to constitute the Engineer, or any of his (or her, or its) agents or employees as the agent, employee or representative of Yellowstone County for any purpose, or to be recipients of any benefits, pensions, insurance plans, payroll taxes, worker's compensation or State or Federal withholding taxes.
- 6.4 The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. Any subletting or subcontracting by the Contractor subjects subcontractors to the same provisions. In accordance with section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.
- 6.5 Engineer agrees to perform their services in a professional manner and keep the following minimum amounts of Professional Liability Insurance in effect for the duration of this contract: \$2,000,000 Per Claim and \$2,000,000 Aggregate.
- 6.6 Owner and Engineer each binds itself, its partners, successors, assigns and legal representative to the other party hereto, its partners, successors, assigns and legal representative to respect to all covenants, agreements and obligations contained in the Contract Documents.
- 6.7 The parties agree that the laws of the State of Montana shall govern this contract, and that venue shall be in the Thirteenth Judicial District Court, Yellowstone County, Montana.
- 6.8 In the event of litigation, the prevailing party shall be entitled to

reimbursement of Court costs and reasonable Attorney fees by the non-prevailing party.

IN WITNESS WHEREOF, OWNER and ENGINEER have signed this Agreement in duplicate. One counterpart each will be delivered to OWNER and ENGINEER. All portions of the Contract Documents have been signed, initialed or identified by OWNER and ENGINEER.

This Agreement will be effective November 15th, 2016.

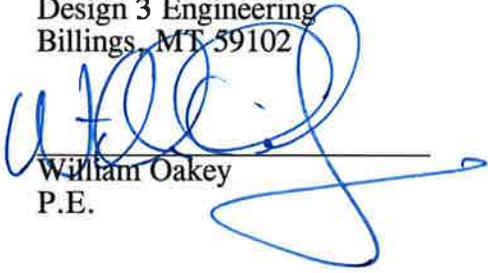
OWNER:

Yellowstone County  
Billings, MT 59101

\_\_\_\_\_  
John Ostlund  
Chairman

ENGINEER:

Design 3 Engineering  
Billings, MT 59102

  
\_\_\_\_\_  
William Oakey  
P.E.

Attest:

\_\_\_\_\_  
Jeff Martin  
Clerk and Recorder

**B.O.C.C. Regular**

Agenda Item 1. b.

**Meeting Date:** 11/15/2016

**Title:** REQUEST TO EXPEND- WEED DEPT-NEW ONE TON 4x4 TRUCK

**Submitted For:** James Matteson, Purchasing Agent

**Submitted By:** James Matteson, Purchasing Agent

---

**TOPIC:**

Request to Expend for the Weed Department to Purchase a New 1 Ton 4x4 Truck

**BACKGROUND:**

On October 13th the Weed Department requested quotes for a new 2016/2017 1 ton 4x4 extended cab pickup chassis or flatbed truck. Two quotes were received with the lowest from Archie Cochrane Ford for \$36,623.00. The purchase was anticipated and is included in their FY16/17 Budget.

**RECOMMENDED ACTION:**

Approve the Request so the purchase can be completed

---

**Attachments**

WEED DEPT 1 TON TRUCK

---

YELLOWSTONE COUNTY  
REQUEST TO EXPEND

This form is to be completed for all capital outlay requests (a single item costing \$500.00 or more with a useful life of at least one year). Please attach all pertinent paperwork with price quotes, if available, and forward to the Purchasing Department with a completed purchase requisition. The account numbers and budget balance lines must be completed by the requesting department. Please use the most recent budget report to obtain this information. This data will be verified by the Purchasing Department. If the item(s) to be purchased are over the budgeted amount or were not budgeted, Commissioners approval is required prior to placing the order.

Item(s) requested: 2017 Ford F-350 Super Cab 4x4 DRW

Cost: \$36,623.00

Other costs: \_\_\_\_\_

Less trade-in/discount: no trade in

Net cost of request: \$36,623.00

Explanation of purchase: Weed Dept is in need of a new 1 ton dual wheel 4x4 truck.

The purchase was anticipated and included on the ~~Approved~~ FY 2016/2017 budget

Weed Dept. Department  
[Signature] Elected Official or Department Manager  
11/2/16 Date

BUDGET INFORMATION

Account Numbers: 2140-000-403-431100-940

Budget Balance: \$37,198.00

Is this a budgeted item? Yes

Finance Note: \_\_\_\_\_

[Signature] Purchasing Agent  
11-03-2016 Date

COMMISSIONER ACTION

Approved: Yes \_\_\_ No \_\_\_

Tabled: \_\_\_\_\_

Date: \_\_\_\_\_

Votes: Yes No

Chairperson \_\_\_\_\_

Member \_\_\_\_\_

Member \_\_\_\_\_

**WEED DEPARTMENT  
NEW FOUR WHEEL DRIVE ONE TON TRUCK  
PRICE SHEET**

Year, manufacturer and model of the proposed truck:

2017, Ford F-350 Super Cab DRW

Does the above truck meet all specifications?                        x   yes    no

Please list the total cost of the truck, including all documentation fees and shipping to the Yellowstone County Weed Department, 3319 King Avenue East, Billings, MT 59101.

TOTAL COST                      \$ 36,623.00

Estimated miles per gallon: City:    Not Rated

Highway:    \_\_\_\_\_

Approximate delivery date:    12-14 Weeks

Archie Cochrane Ford  
Company

Tim Jenkins  
Authorized Representative

2133 King Ave West  
Address

Billings, Mt, 59108  
City, State, Zip Code

406-656-1100  
Telephone number

10/17/2016  
Date

**YELLOWSTONE COUNTY  
WEED DEPARTMENT**

## **NEW FOUR WHEEL DRIVE ONE TON TRUCK MINIMUM SPECIFICATIONS**

- New 2016 or 2017 model year
- 1 ton, dual wheel, 4 wheel drive, 2 speed transfer case
- Extended cab chassis (box delete), minimum 11,400 GVWR
- Minimum V8 - 6.2 liter gas engine with block heater
- 60" cab to axle
- Automatic 6 speed transmission
- 4.10 - 4.30 gear ratio
- Minimum 26 gallon gas tank
- Power steering with steering damper
- Class III trailer towing group with receiver hitch
- Power 4 wheel disk brakes
- 17" radial tires, all season, ten ply – load range E, with full size spare tire
- Instrument gauges, intermittent wipers, MYLINK or SYNC 3, AM/FM stereo radio with Bluetooth, CD player and clock
- Air conditioning, power mirrors, power windows and door locks, tilt wheel and speed control, overhead console with storage
- 40/20/40 seat, power seats, cloth with center armrest
- Full black vinyl or rubber mat (carpet delete)
- Standard white exterior color preferred, compatible interior color
- Privacy tinted glass, rear window tinted and two side rear windows on extended cab tinted
- Roof clearance lights
- Chrome front bumper
- Owner's manual

**B.O.C.C. Regular**

Agenda Item 1. c.

**Meeting Date:** 11/15/2016

**Title:** ADDENDUM ELEVATOR LIFT PAYNE WEST-SWANK CONST

**Submitted For:** James Matteson, Purchasing Agent

**Submitted By:** James Matteson, Purchasing Agent

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**TOPIC:**

Change Order #1 Swank Construction Elevator Lift Payne West Building

**BACKGROUND:**

The Facilities Department is requesting Commissioner Approval for a change order to the contract with Swank Construction-wheel chair lift at the Payne-West building. During the elevator lift installation it became necessary to move existing duct work to pass by the new lift wall.

**RECOMMENDED ACTION:**

Approve the Request and return a copy to the Purchasing Department

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**Attachments**

SWANK CONST CHANGE ORDER #1

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**CONTRACT CHANGE ORDER NO. 1,**  
**TO AGREEMENT BETWEEN**  
**YELLOWSTONE COUNTY AND SWANK CONSTRUCTION**

Due to an unforeseen condition realized by the parties to the Agreement executed on July 5<sup>th</sup>, 2016, it is necessary to modify the Agreement by this Contract Change Order.

THEREFORE, it is hereby agreed by the parties that the following corrections shall be incorporated into the July 5<sup>th</sup>, 2016 Agreement:

Contract Change Order No. 1 – Item No. 1

Remove approximately 12 feet of 22" x 12" high duct work in soffit on lower level. Provide a reducer on ductwork to reduce ductwork to allow ductwork to pass by new lift wall.

Provide widest ductwork as available to get past the new wall. Plush ductwork against existing soffit framing to allow a duct as wide as possible.

Provide reducer to get back to 22" wide to turn up into wind diffuser on upper level.

Verify space required to expand to 22" ductwork-wall into crawlspace could be moved back to original Location if space in soffit required.

The addition of this work will add \$2,089.00 to the existing contract of \$78,900.00. The new revised total Agreement contract amount will be \$80,989.00

The rest and remainder of the terms and conditions of July 5<sup>th</sup>, 2016 Agreement shall remain in full force and effect and are not affected by this adjustment.

This adjustment will be effective November 15th, 2016.

OWNER:

Yellowstone County  
Billings, MT 59101

By: \_\_\_\_\_  
John Ostlund  
BOCC Chair

CONTRACTOR:

Swank Construction  
Billings, MT 59101

By:  \_\_\_\_\_  
Matt Munkelsson Project Manager

Attest

\_\_\_\_\_  
Jeff Martin  
Clerk & Recorder



# PROPOSAL REQUEST

**PROJECT:** 2323 2nd Ave. N. – ADA Lift Install  
Billings, MT

**REQUEST NO:** One (1)

**OWNER:** Yellowstone County  
Greg Erpenbach  
217 N. 27<sup>th</sup> Street  
Billings, MT 59101

**DATE:** October 5, 2016

**PROJECT NO:** 1613-A

**TO:** Swank Enterprises  
2925 1<sup>st</sup> Ave N.  
Billings, MT 59101

**CONTRACT FOR:** All Work

Please submit an itemized quotation for changes in the Contract sum and/or time incidental to proposed modifications to the Contract Documents described herein.

**THIS IS NOT A CHANGE ORDER NOR A DIRECTION TO PROCEED WITH WORK DESCRIBED HEREIN.**

### DESCRIPTION:

Item 1: Remove approximately 12" of 22" Wide x 12" High duct work in soffit on lower level. \$ 2089  
Provide a reducer on ductwork to reduce ductwork to allow duct work pass by new lift wall.

Provide widest ductwork as possible to get past the new wall. Push ductwork against existing soffit framing to allow a duct as wide as possible.

Provide reducer to get back to 22" wide to turn up into window diffuser on upper level.

Verify space required to expand to 22" ductwork- wall into crawlspace could be moved back to original location if space in soffit required.

Proposed modifications will

increase  decrease

Contract sum by \$ 2,089

SWANK ENTERPRISES

Contractor

By MATT MURKELSON

ATTACH ITEMIZED COST BREAKDOWN  
SUPPORT ABOVE STATED AMOUNT

Title PROJECT MANAGER

Date 10/11/16

INITIATED BY: \_\_\_\_\_ PROJECT MANAGER: \_\_\_\_\_ DATE: \_\_\_\_\_  
WRITTEN BY: \_\_\_\_\_ OWNER'S APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_



**B.O.C.C. Regular**

Agenda Item 1. g.

**Meeting Date:** 09/13/2016

**Title:** CONTRACT SWANK ENTERPRISES - WHEELCHAIR LIFT - PAYNE WEST BLDG

**Submitted For:** James Matteson, Purchasing Agent

**Submitted By:** James Matteson, Purchasing Agent

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**TOPIC:**

Contract with Swank Enterprises for the Purchase and Installation of an ADA Compliant Wheelchair Lift at the Old Payne West Building

**BACKGROUND:**

On the June 28th, 2016 Board meeting, bids were opened for the purchase and installation of an ADA compliant wheelchair lift at the old Payne West building which after renovations will be occupied by the Sheriffs Office. Swank Enterprises General Contractors were low bid, and were awarded the project. We are now ready to proceed with the project and enter into a contract with Swank Enterprises.

**RECOMMENDED ACTION:**

Sign the Contract and return a copy to the Purchasing Department

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**Attachments**

SWANK ENT - CONTRACT PAYNE WEST LIFT

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**Standard Form of Agreement between Owner  
and Contractor on the Basis of  
A Stipulated Price**

This agreement is dated as of the 7th day of September 2016, by and between Yellowstone County, MT (hereinafter called Owner), and Swank Enterprises, Billings, MT (hereinafter called Contractor).

Owner and Contractor, in consideration of the material covenants hereinafter set forth, agree as follows:

1. **Scope of Work**

Contractor shall furnish all labor, material and equipment necessary for the purchase and installation of an ADA compliant wheelchair lift in the old Payne West Building located at 2323 2<sup>nd</sup> Avenue North, Billings, MT as outlined in the Owner's Invitation for Bid dated June 7, 2016, Addendum #1 dated June 22, 2016 and Addendum #2 dated June 24, 2016.

2. **Contract Times**

The anticipated on-site start date for the project is September 6, 2016. The Contractor's bid included the number of days they needed for completion of the project; the total number of days needed is 60 consecutive calendar days. The Owner is requesting the project be completed by the end of that 60 day period which is approximately November 4, 2016. Should any additional work need to be performed, both parties prior to the work being completed must sign a written change order.

3. **Contract Price**

Owner shall pay the Contractor \$78,900.00; if progress payments are requested a 5% retainage fee will be withheld from all payments. The fee will be returned to the contractor upon completion of the project and acceptance by the Owner. A 1% Contractors' tax will be withheld from all payments made to the Contractor. The Contractors' tax will be forwarded to the State of Montana on behalf of the Contractor.

4. **Contractors Representation**

4.1 Contractor has examined and reviewed the Contract Documents and other related paperwork.

- 6.2 Contractor agrees to defend, indemnify and hold harmless the Owner against claims for injuries to person or damages to property occurred from or in connection with the Contractor's performance under the Agreement. The indemnification and defense obligations under this paragraph of the Agreement shall not be limited by any assertion or finding that the Owner is liable for any damages be reason on a non-delegable duty.
- 6.3 The Contractor agrees to perform the labor and terms of this contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship or status. Nothing in this contract shall be in any way construed to constitute the Contractor, or any of his (or her, or its) agents or employees as the agent, employee or representative of Yellowstone County for any purpose, or to be recipients of any benefits, pensions, insurance plans, payroll taxes, worker's compensation or State or Federal withholding taxes.
- 6.4 Owner and Contractor each binds itself, its partners, successors, assign and legal representative to the other party hereto, its partners, successors, assign and legal representative to respect to all covenants, agreements and obligations contained in the Contract Documents.
- 6.5 Contractor must give preference to the employment of bona fide residents of Montana in the performance of this work.
- 6.6 All work and materials must be warranted for a period of one year from date of installation.
- 6.7 The Parties agree that the laws of the State of Montana shall govern this contract, and that venue shall be in the Thirteenth Judicial District Court, Yellowstone County, Montana.
- 6.8 In the event of litigation, the prevailing party shall be entitled to reimbursement of Court costs and reasonable Attorney fees by the non-prevailing party.
- 6.9 The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American with

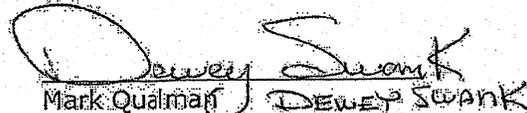
IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each will be delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed, initialed or identified by OWNER and CONTRACTOR.

This Agreement will be effective September 7th, 2016.

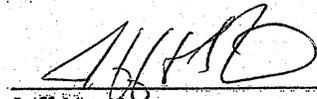
OWNER:  
Yellowstone County  
Billings, MT 59101

CONTRACTOR:  
Swank Enterprises  
Billings, MT 59101

  
John Ostlund  
BOCC Chair

  
Mark Qualman  
Construction Manager

Attest:

  
Jeff Martin  
Clerk & Recorder

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER.

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or undertaking to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 6 day of SEPTEMBER, 20 16

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

*Kevin E. Hughes*  
Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3830 or contact us at [www.travelersbond.com](http://www.travelersbond.com). Please refer to the Attorney-in-Fact number, the above-named individuals and the details of the bond to which the power is attached.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Bond shall be construed as a statutory bond and not as a common law bond.

14. Upon request by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor shall promptly furnish a copy of this Bond or shall permit a copy to be made.

**15. DEFINITIONS**

15.1 Claimant: An individual or entity having a direct contract with the Contractor or with a subcontractor of the Contractor to furnish labor, materials or equipment for use in the performance of the Contract. The intent of this Bond shall be to include without limitation in the terms "labor, materials or equipment" that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental equipment used in the

Construction Contract, architectural and engineering services required for performance of the work of the Contractor and the Contractor's subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.

15.2 Construction Contract: The agreement between the Owner and the Contractor identified on the signature page, including all Contract Documents and changes thereto.

15.3 Owner Default: Failure of the Owner, which has neither been remedied nor waived, to pay the Contractor as required by the Construction Contract or to perform and complete or comply with the other terms thereof.

**MODIFICATIONS TO THIS BOND ARE AS FOLLOWS:**

Paragraph 6 above is deleted in its entirety and the following is substituted in its place:

6. When the Claimant has satisfied the conditions of Paragraph 4, and has submitted all supporting documentation and any proof of claim requested by the Surety, the Surety shall, within a reasonable period of time, but not more than 120 days, notify the Claimant of the amounts that are disputed and the basis for challenging any amounts that are disputed, including but not limited to, lack of substantiating documentation to support the claim as to entitlement or amount, and the Surety shall, within a reasonable time, but not more than 120 days, pay or make arrangements for payment of any undisputed amount; provided, however, that the failure of the surety to timely discharge of its obligations under this paragraph or to dispute or identify and specific defense to all or any part of a claim shall not be deemed to be an admission of liability by the Surety as to such claim or otherwise constitute a waiver of the Contractor's or Surety defenses to or right to dispute such claim. Rather, the Claimant shall have the immediate right, without further notice, to bring suit against Surety to enforce any remedy available to it under this Bond.

(Space is provided below for additional signatures of added parties, other than those appearing on the cover page.)

CONTRACTOR AS PRINCIPAL  
Company: SWANK ENTERPRISES  
(Corporate Seal)

Signature: \_\_\_\_\_  
Name and Title:  
Address:

SURETY  
Company: Travelers Casualty And Surety Company Of America  
(Corporate Seal)

Signature: \_\_\_\_\_  
Name and Title: Timothy G. Lightbourne, Attorney-in-Fact  
Address: PO Box 2009, Great Falls, MT 59403

THE AMERICAN INSTITUTE OF ARCHITECTS



Bond No. 106539597

AIA Document A312

Payment Bond

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

CONTRACTOR (Name and Address):
SWANK ENTERPRISES
2925 1st Ave North, Ste 1
Billings, MT 59101

SURETY (Name and Principal Place of Business):
Travelers Casualty And Surety Company Of America
One Tower Square
Hartford, CT 06183-6014

OWNER (Name and Address):
Yellowstone County, Board of County Commissioners
PO Box 35000
Billings, MT 59107

CONSTRUCTION CONTRACT
Date: September 6th, 2016
Amount: \$78,900.00
Description (Name and Location):
Yellowstone County Sheriff's Office ADA Wheel Chair Lift Installation
BOND
Date (Not earlier than Construction Contract Date): September 6th, 2016
Amount: \$78,900.00
Modifications to this Bond: [x] See Page 6

CONTRACTOR AS PRINCIPAL

SURETY

COMPANY:
SWANK ENTERPRISES

(Corporate Seal)

COMPANY:
Travelers Casualty And Surety Company Of America
(Corporate Seal)

Signature:
Name and Title:

Signature: Timothy G. Lightbourne
Name and Title: Timothy G. Lightbourne, Attorney-in-Fact

(Any additional signatures appear on page 6)

FOR INFORMATION ONLY-Name, Address and Telephone
AGENT OR BROKER:
COGSWELL INSURANCE AGENCY, LLC
800 9th Street So.
Great Falls, MT 59405

OWNER'S REPRESENTATIVE (Architect,
Engineer or other party):

1. The Contractor and the Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to the Owner for the performance of the Construction Contract, which is incorporated herein by reference.

2. If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except to participate in conferences as provided in Subparagraph 3.1.

3. If there is no Owner Default, the Surety's obligation under this Bond shall arise after:

3.1 The Owner has notified the Contractor and the Surety at its address described in Paragraph 10 below that the Owner is considering declaring a Contractor Default and has requested and attempted to arrange a conference with the Contractor and the Surety to be held not later than fifteen days after receipt of such notice to discuss methods of performing the Construction Contract. If the Owner, the Contractor and the Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement shall not waive the Owner's right, if any, subsequently to declare a Contractor Default; and

3.2 The Owner has declared a Contractor Default and formally terminated the Contractor's right to complete the contract. Such Contractor Default shall not be declared earlier than twenty days after the Contractor and the Surety have received notice as provided in Subparagraph 3.1; and

3.3 The Owner has agreed to pay the Balance of the Contract Price to the Surety in accordance with the terms of the Construction Contract or to a contractor selected to perform the Construction Contract in accordance with the terms of the contract with the Owner.

4. When the Owner has satisfied the conditions of Paragraph 3, the Surety shall promptly and at the Surety's expense take one of the following actions:

4.1 Arrange for the Contractor, with consent of the Owner, to perform and complete the Construction Contract; or

4.2 Undertake to perform and complete the Construction Contract itself, through its agents or through independent contractors; or

4.3 Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and the contractor selected with the Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in Paragraph 6 in excess of the Balance of the Contract Price incurred by the Owner resulting from the Contractor's default; or

4.4 Waive its rights to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances:

.1 After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, tender payment therefore to the Owner; or

.2 Deny liability in whole or in part and notify the Owner citing reasons therefore.

5. If the Surety does not proceed as provided in Paragraph 4 with reasonable promptness, the Surety shall be deemed to be in default on this Bond fifteen days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in Subparagraph 4.4, and the Owner refuses the payment tendered or the Surety has denied liability, in whole or in part, without further notice the Owner shall be entitled to enforce any remedy available to the Owner.

6. After the Owner has terminated the Contractor's right to complete the Construction Contract, and if the Surety elects to act under Subparagraph 4.1, 4.2, or 4.3 above, then the responsibilities of the Surety to the Owner shall not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety shall not be greater than those of the Owner under the Construction Contract. To the limit of the amount of this Bond, but subject to commitment by the Owner of the Balance of the Contract Price to mitigation of costs and damages on the Construction Contract, the Surety is obligated without duplication for:

6.1 The responsibilities of the Contractor for correction of defective work and completion of the Construction Contract;

6.2 Additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under Paragraph 4; and

6.3 Liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.

7. The Surety shall not be liable to the Owner or others for obligations of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, or successors.

8. The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

9. Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and shall be instituted within two years after Contractor Default or within two years after the Contractor ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available



SWANENT-02

AOLSON

# CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)  
 8/15/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Kallispell Office PayneWest Insurance, Inc. 33 Village Loop Kallispell, MT 59901	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b> (406) 758-4200	<b>FAX (A/C, No):</b> (406) 755-1189
	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> BITCO Insurance Companies	<b>NAIC #</b> 20095
	<b>INSURER B:</b> Continental Casualty Company	<b>NAIC #</b> 20443
<b>INSURED</b>  Swank Enterprises PO Box 568 Valier, MT 59486	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	X		CLP3630514	01/01/2016	01/01/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			CAP3630516	01/01/2016	01/01/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			CUE4018230224	01/01/2016	01/01/2017	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WC1146189	01/01/2016	01/01/2017	<input type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Inland Marine			CLP3630514	01/01/2016	01/01/2017	Scheduled Equipment 3,406,981
A	Equipment Floater			CLP3630514	01/01/2016	01/01/2017	Rented/Leased Equip 250,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Yellowstone County Wheelchair Lift

<b>CERTIFICATE HOLDER</b>  Yellowstone County Attn: Steve Krogstad P.O. Box 35015 Billings, MT 59107	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>Audrey E. Olson</i>
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**B.O.C.C. Regular**

Agenda Item 2.

**Meeting Date:** 11/15/2016

**Title:** Fire Rock Subdivision

**Submitted For:** Jeff Martin, Clerk And Recorder

**Submitted By:** Jeff Martin, Clerk And Recorder

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**TOPIC:**

Final Plat - Fire Rock Subdivision Plat and S.I.A.

**BACKGROUND:**

Plat has been reviewed by staff.

**RECOMMENDED ACTION:**

Execute the plat and S.I.A.

---

**Attachments**

Fire Rock SIA

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15

**SUBDIVISION IMPROVEMENTS AGREEMENT  
FIRE ROCK SUBDIVISION**

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(YELLOWSTONE COUNTY)**

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**SUBDIVISION IMPROVEMENTS AGREEMENT  
FIRE ROCK SUBDIVISION**

This agreement is made and entered into this 21 day of October, 2016, by and between JANET K DOLAN, Managing Member, CATTLE RANCH ESTATES LLC. Whose address for the purpose of this agreement is 1333 COLLEGE PARKWAY #172 ,GULF BREEZE, FLORIDA 32563, and LEVI J. BRITTON AND BARBARA L. BRITTON, whose address for the purpose of this agreement is , 7623 NO. LEOPARD AVE. BILLINGS, MT. 59106, Hereinafter referred to as "Subdivider," and Yellowstone County, Montana, hereinafter referred to as "COUNTY."

**WITNESSETH:**

**WHEREAS**, the plat of FIRE ROCK SUBDIVISION, located in the Yellowstone County, was submitted to the Yellowstone County Board of Planning; and

**WHEREAS**, at a regular meeting conducted on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of FIRE ROCK SUBDIVISION; and

**WHEREAS**, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat; and

**WHEREAS**, the provisions of this agreement shall be effective and applicable to FIRE ROCK SUBDIVISION upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

**THEREFORE, THE PARTIES TO THIS AGREEMENT**, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

**I. VARIANCES**

- A. No variances requested.

**II CONDITIONS THAT RUN WITH THE LAND**

- A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer habitat and it is likely that homeowners will experience problems with damage to landscape shrubs, flowers and gardens. The Montana Fish, Wildlife and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or threat to public health and safety.

- B.** Lot owners should be aware that soil characteristics within the area of the subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on lots which may require a geotechnical survey prior to construction. Assessment and mitigation, if any, of these conditions shall be the responsibility of the lot owner.
- C.** Existing irrigation ditch water share will be transferred to the Fire Rock Homeowners Association. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners unless otherwise noted herein.
- D.** This subdivision is being built in an area where agricultural activities exist. Activities such as large equipment on roadways, dust, smoke, odors, and noise should be expected from nearby agricultural operations.
- E.** There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts, which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.
- F.** Culverts and associated drainage swales shall not be filled in or altered by the Subdivider or subsequent lot owners.
- G.** When required by future road improvements, all fences and irrigation ditches in the public right-of-way adjacent to the subdivision shall be removed or relocated outside of the public right-of-way at no cost to the County, and any relocation outside of the public right-of-way shall be subject to securing and recording easements.
- H.** Future maintenance of all private (or common) improvements shall be done through the Fire Rock Homeowners Association to be created as part of this subdivision.
- I.** Future maintenance of the fire protection improvements shall be done through a RSID created as part of the SIA for this subdivision.
- J.** Lot owners should be aware that portion of this property lies within floodplain/floodway areas described within the West Billings Flood Mitigation Study, completed in 2011. This study has not been adopted by Yellowstone County. The flood hazard area is shown on the attached Exhibit A. It is recommended that lots affected by the floodplain have minimum finish floor

elevations for homes at least 2 feet above the base flood elevation if building within the floodplain area.

### **III. TRANSPORTATION**

#### **A. Streets**

The Subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

All streets shall be built to grade with a satisfactory engineered subbase, base course, and asphalt surface. The internal subdivision streets will be 28-foot wide (24-foot-wide paved surface with 2-foot-wide gravel shoulders) private streets with drainage ditches on both sides. Culverts shall be provided to convey stormwater across roadways and driveways. No additional improvements are required for 64th Street West. The engineered design cross-sections of said streets shall be submitted to the Yellowstone County Public Works Department.

Street improvements of the subdivision shall consist of the improvements to Fire Rock Drive from the intersection of 64th Street West to the west lot line of Lot 25, terminating in a temporary paved turnaround, improvements to Chimney Rock Drive from the intersection of 64th Street West to the west lot line of Lot 24, terminating in a paved temporary turnaround, and improvements to Yonder Way, Harvest Moon Drive and Harvest Moon Circle. Said improvements shall hereinafter be referred to as the street improvements.

#### **B. Traffic Control Devices**

1. No traffic signals are required for this subdivision. Stop signs shall be installed at each of the two intersections of Fire Rock Drive/64th Street West and Chimney Rock Drive/64th Street West.
2. Street name signs for streets within the subdivision are located immediately adjacent thereto and shall be furnished and installed in accordance with the current Yellowstone County Public Works standards at the time of construction.
3. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices.

### **C. Access**

A 30-foot-wide right-of-way shall be dedicated to the public by Subdivider along the west side of 64th Street West. 60 -foot-wide private access easements shall be provided for all internal streets.

All driveway approaches shall be piped in accordance with the Storm water Management Plan, as approved by Montana Department of Environmental Quality (MDEQ).

The County Public Works Department will issue a permit for the two approaches to 64th Street West.

### **D. Gated Private Access**

The Subdivider will install an access control gate at each of the Subdivision entrances. In addition to providing access to lot owners and their guests within the Subdivision, the gate will provide access to emergency personnel.

The HMO. will provide specifications to the County regarding the gate operations pertaining to access requirements. In the event of power failure, the access control gate shall automatically open on battery back-up power and remain open until primary power is restored.

Additionally, the Subdivider will install a Knox key switch at each gate in order to allow emergency personnel to access the Subdivision. The location of the Knox switch is subject to approval by the Fire Department.

Subdivider acknowledges that in case of emergency, should the gate operations fail, the gate may be destroyed or removed. Subdivider will be responsible for all costs related to reinstalling or repairing the gate.

### **E. Billings Area Bikeway and Trails Master Plan (BABTMP)**

The subdivision is within the jurisdictional area of the BABTMP. 64th Street West is identified as a potential long-range bike lane route and sufficient right-of-way is dedicated with Fire Rock Subdivision to allow for a future bike lane installation along 64th Street West.

### **F. Mail Boxes**

Centralized mail delivery boxes shall be provided for the subdivision as required by the United States Postal Service.

### **G. Survey Monuments**

Survey monuments shall be installed as required by Yellowstone County and the Montana Subdivision and Platting Act.

#### **H. Maintenance**

Maintenance of the private subdivision improvements shall be by the Fire Rock Homeowners Association.

#### **IV. EMERGENCY SERVICES**

##### **A. Fire Protection Services**

The subdivision is included within the boundaries of the Billings Urban Fire Service Area (BUFSA). Property within BUFSA is assessed for fire service and is served by the Billings Fire Department.

Fire Protection facilities shall be provided via a dry hydrant system with a 30,000 gallon underground water storage tank. The system shall be capable of providing a minimum of 1,000 gallons per minute at draft. The Subdivider shall submit plans and specifications of the dry hydrant system to the Billings Fire Department for review and approval prior to installation of the system. The tank shall be installed with the subdivision improvements prior to final plat approval or prior to construction of any buildings in the subdivision at the location shown on the plat. The system shall be inspected, acceptance tested, and approved by the Billings Fire Department prior to construction of any buildings in the subdivision.

##### **B. Maintenance**

Maintenance of the fire protection facilities shall be the responsibility of the Rural Special Improvement District for Maintenance RSID-M) as described in Section IX. of this agreement. Maintenance shall include the maintenance of all fire protection facilities located within the dry hydrant system easement as indicated on the plat, including the underground tank and associated fixtures and appurtenances and maintaining the water level within the tank such that the tank is full at all times. It is agreed that, should the Billings Fire Department need water from the tank to fight fire outside the subdivision, they will do so; and, upon completion of fire fighting, they will refill the tank immediately at no cost to the subdivision.

#### **V. STORM DRAINAGE**

##### **A. Facilities**

All drainage improvements shall comply with the provisions of Section 4.7 of the Yellowstone County Subdivision Regulations (2006), and a Storm water Management Plan shall be submitted to and approved by the Montana Department of Environmental Quality (MDEQ), or its designee.

All storm water facilities located within or adjacent to the subdivision are integral parts of the street drainage system and shall remain so until such time as a storm drainage trunk system becomes available and is utilized by the subdivision.

The storm water improvements of the subdivision shall consist of any collection, conveyance, storage, or discharge facility which is an integral part of each particular phase's drainage system as described in the Storm water Management Plan approved by the MDEQ Certificate of Subdivision Plat Approval, as filed with the Clerk and Recorder. Said improvements shall hereinafter be referred to as the storm water improvements, respectively.

#### **B. Maintenance**

Maintenance of the storm water facilities shall be the responsibility of the Fire Rock Homeowners Association. Maintenance shall include the maintenance of all storm water collection, conveyance, storage, detention, and discharge facilities located within the private streets and private open space as indicated on the plat.

### **VI. UTILITIES**

#### **A. Water**

Public water service is not available in the subdivision at this time. The subdivision will be served by individual cisterns for each lot. The systems shall be located as shown on the site layout approved by MDEQ. Installation and maintenance of said systems shall be the responsibility of the lot buyer.

#### **B. Sewer**

Municipal public sewer service is not available in the subdivision at this time. The subdivision will be served by individual on-site wastewater disposal systems as approved by MDEQ. These systems shall be located and installed as shown on the site layout approved by MDEQ. Installation and maintenance of said systems shall be the responsibility of the lot buyer.

#### **C. Private Utilities**

All telephone, gas, electrical power, and cable television lines (where said utilities are actually available and existing to subdivision) shall be installed as required and prior to street paving. Said improvements shall hereinafter be referred to as the private utility improvements, respectively.

The Subdivider shall install private utilities within private utility easements where possible. Extension of private utilities into each lot shall be the responsibility of the individual lot owners. The location of all such off-site facilities within the existing public rights-of-way shall be subject to approval of the County Public Works

Department and shall be installed underground. The Subdivider shall coordinate installation with the various utility companies.

## **VII. PARKS/OPEN SPACE**

The park area required for Fire Rock Subdivision is 0.98 acres. 6.45 acres of private open space are created with Fire Rock Subdivision. The private open space shall remain as open space and not be sold or used for any other purpose other than open space in the future.

### **A. Ownership**

All open space and common areas, as shown on the plat as Lots 3, and 22 shall be owned by the Fire Rock Homeowners Association.

### **B. Facilities**

No open space improvements are required to be constructed with the Fire Rock Subdivision. Any disturbed open space area will be seeded with native grasses upon final grading associated with street construction.

### **C. Maintenance**

Maintenance of all park area, open space and other common areas shall be the responsibility of the Fire Rock Homeowners Association, created at the time of the filing of the final plat.

## **VIII. IRRIGATION**

- A.** Irrigation laterals exist along the north boundary of the subdivision. Properly sized culverts shall be installed as part of the improvements to Yonder Way to provide adequate water flow in the ditch that crosses Yonder Way. The lateral irrigation ditches are supplied by the High Ditch.
- B.** Existing irrigation ditch water shares will be transferred to the Fire Rock Homeowners Association. Underground irrigation pipe will be installed in the utility easements with service to each lot.

## **IX. RURAL SPECIAL IMPROVEMENTS DISTRICT FOR MAINTENANCE (RSID-M)**

One Rural Special Improvements District for Maintenance (RSID-M) shall be created by the Subdivider prior to the filing of the final plat, which shall include, but not be limited to, the maintenance of the fire protection facilities located within the established dry hydrant system easement, as indicated on the plat. Assessments of individual lots by Yellowstone County shall not begin until the public improvements have been completed.

**X. WEED MANAGEMENT PLAN**

A. All noxious weeds on the latest Yellowstone County Noxious Weed List must be controlled on all properties in the subdivision. A Noxious Weed Plan must be filed and updated annually for approval by the Yellowstone County Weed Board. It must contain the noxious weeds being addressed and the plan for control of those weeds. All cost of noxious weed control is the responsibility of the property owners (of record). The right-of-way is the responsibility of the Subdivider. Once the Maintenance District is formed, it then becomes the responsibility of the District.

B. A revegetation plan will be submitted as part of the management plan. A seeding recommendation will be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

**XI. SOILS/GEOTECHNICAL STUDY**

A geotechnical study is not required by the Yellowstone County Subdivision Regulations as part of this plat. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

**XII. FINANCIAL GUARANTEES**

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or private contracts secured by bonds, irrevocable letter of credit or letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be designed by and constructed under the supervision of a professional engineer competent in civil engineering, licensed in the state of Montana. Upon completion of the improvements, the consulting Engineer shall file with the Public Works Department, a statement certifying the improvements have been completed in accordance with approved, seal stamped, record drawing, along with all required post-construction certification per Section 4.6.C. of the Yellowstone County Subdivision Regulations.

**XIII. LEGAL PROVISIONS**

- A. Subdivider agrees to guarantee all improvements for a period of one year from the date of final acceptance by the County Public Works Department.
- B. The owners of the properties involved in this proposed subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.
- C. The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors, and assigns of the respective parties.
- D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.
- E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.
- F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

**IN WITNESS WHEREOF**, the parties hereto have set their hands and official seals on the date first above written.

 JANET K. DOLAR (MANAGING MEMBER) FOR  
CATTLE RANCH ESTATES, LLC. (OWNERS)  
 BARBARA L. BRITTON  
LEVI J. BRITTON AND (SUBDIVIDERS)

STATE OF Florida )  
County of Santa Rosa ) : ss

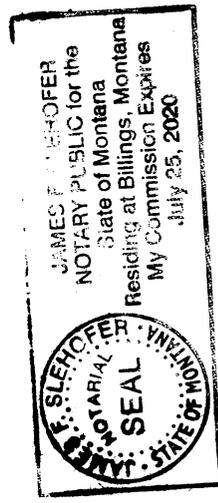
On this 21<sup>st</sup> day of October, 2016, before me, a Notary Public in and for the State of Florida, personally appeared JANET K. DOLAR (MANAGING MEMBER) for Cattle Ranch Estates LLC. known to me to be the OWNERS of FIRE ROCK SUBDIVISION, who executed the foregoing instrument and acknowledged to me that they executed the same.



*Susan Reinger*  
Notary Public in and for the State of Florida  
Printed Name: Susan Reinger

State of Montana )  
                                  )ss  
County of Yellowstone )

On this 25<sup>th</sup> Day of October, 2016, before me, a Notary Public in and for the State of Montana, personally appeared LEVI J. BRITTON AND BARBAR L. BRITTON, known to me to be the SUBDIVIDER of FIRE ROCK SUBDIVISION, who executed the foregoing instrument and acknowledged to me that they executed the same.



*James F. Slehofer*  
Notary Public in and for the State of Montana  
Printed Name: James F. Slehofer

\_\_\_\_\_  
Notary Public in and for the State of Montana  
Printed Name: \_\_\_\_\_

This agreement is hereby approved and accepted by Yellowstone County, this \_\_\_\_ day of \_\_\_\_\_, 2016.

“COUNTY”  
COUNTY OF YELLOWSTONE  
MONTANA

County of Yellowstone  
Board of County Commissioners

By: \_\_\_\_\_  
                  Chairman  
\_\_\_\_\_  
                  Commissioner

Commissioner

Attest: \_\_\_\_\_  
County Clerk and Recorder

STATE OF MONTANA     )  
                                  ): ss  
County of Yellowstone    )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me, a Notary Public in and for the State of Montana, personally appeared \_\_\_\_\_, known to me to be the Board of County Commissioners and the County Clerk and Recorder, respectively, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

\_\_\_\_\_  
Notary Public in and for the State of Montana  
Printed Name \_\_\_\_\_

## Waiver of Right to Protest

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of Fire Rock Subdivision, do hereby waive the right to protest the formation of one or more Rural Special Improvement Districts (RSID's), which Yellowstone County may require for a period not to exceed 20 years from the recording of this document.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

All of Fire Rock Subdivision, according to the plat thereof on file and of record in the office of the Clerk and Recorder of Yellowstone County, Montana.

A waiver of protest for the creation of future Special Improvement Districts and annexation shall be submitted and filed with the final plat.

Signed and dated this 21 day of October, 2016.

Owners

  
Janet K. Dolar (Managing Member)

FOR CATTLE RANCH ESTATES LLC.

STATE OF Florida)

County of Santa Rosa : ss

On this 21<sup>st</sup> day of Oct to be, 2016, before me, a Notary Public in and for the State of Florida, personally appeared JANET K. DOLAR FOR CATTLE RANCH ESTATES LLC. (Managing Member), known to me to be (Owners), the person who executed the forgoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Seal the day and year hereinabove written.

  
Notary Public in and for the State of Florida  
Printed name: Susan Reining



# FLOOD HAZARD EXHIBIT

FIRE ROCK SUBDIVISION  
WITHIN  
YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : CATTLE RANCH ESTATES, LLC.

BILLINGS, MONTANA

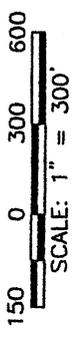
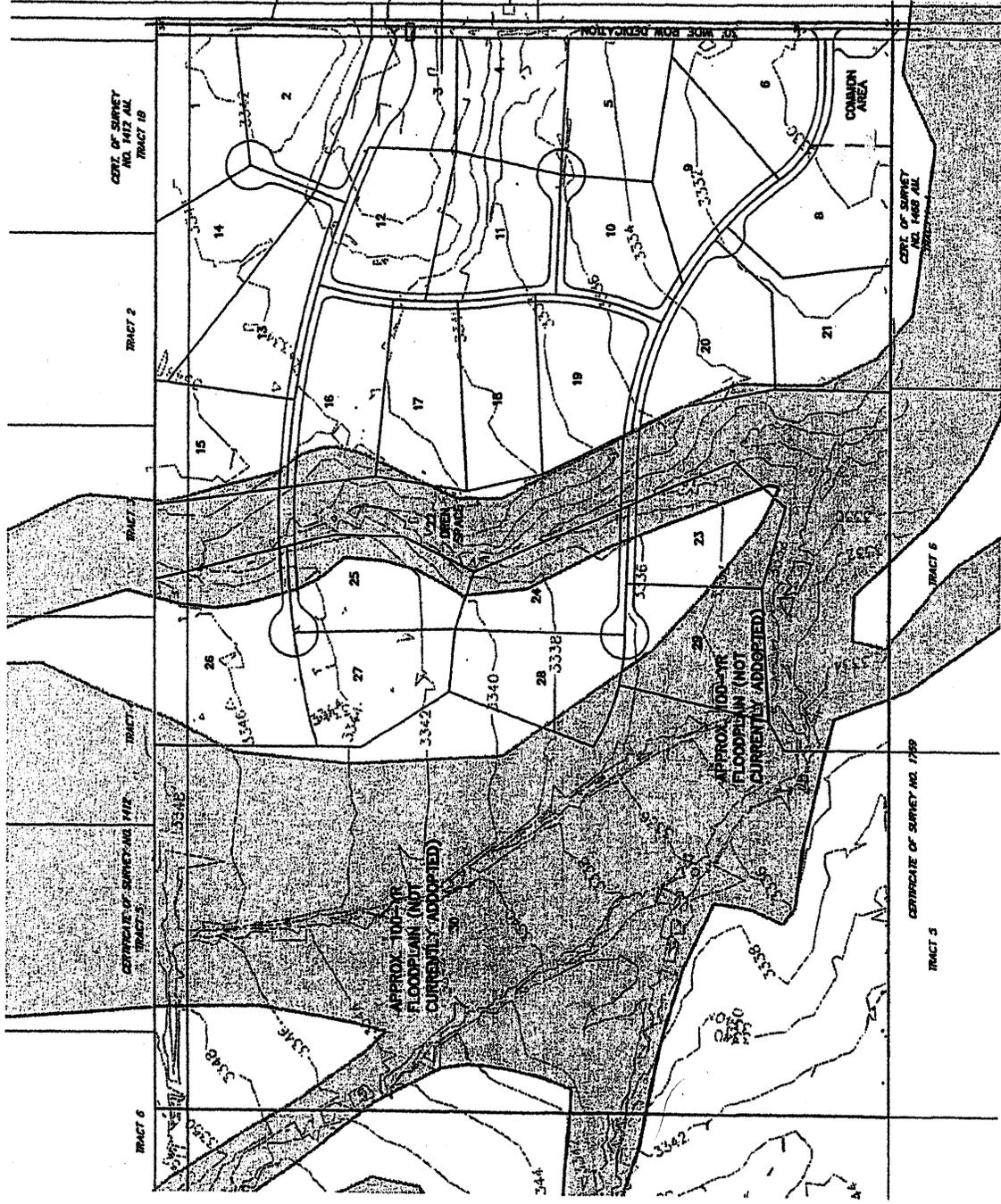


EXHIBIT "A"



**B.O.C.C. Regular**

Agenda Item 3.

**Meeting Date:** 11/15/2016

**Title:** Legislative Services Agreement with Ed Bartlett

**Submitted By:** Paulette Turner-Byrd

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**TOPIC:**

Legislative Services Agreement with Ed Bartlett

**BACKGROUND:**

Ed Bartlett, our lobbyist, would like to renew our agreement with him for the upcoming 2017 Legislative session. Ed is not changing any provisions or fees from his 2015 agreement.

**RECOMMENDED ACTION:**

Approve and sign contract

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**Attachments**

Legislative Services Agreement

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NOV - 7 2016

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Ed Bartlett, LLC  
PO Box 1229  
Helena, MT 59624  
Phone: 406-431-6014

November 7, 2016

Commissioners  
County of Yellowstone  
Billings, Montana

Re: Renewal of Lobbying Agreement

Dear Commissioners:

I have enclosed two original Legislative Services Agreements for the 2017 Legislative Session. I have signed the Agreements and respectfully submit them to you for your review and, I hope, approval. If you agree, please sign the Agreements and return one to me. Of course, if you desire any changes or have any questions or comments, please let me know.

This Agreement is a renewal of our previous Agreement for the 2015 Session. I do not suggest changing any provisions or fees.

It has been an honor for me to have represented you as your legislative lobbyist. I look forward to working for you during the 2017 Session.

Thank You.

Sincerely,



Ed Bartlett

## **LEGISLATIVE SERVICES AGREEMENT**

This Legislative Services Agreement, herein "Contract", is entered into this \_\_\_ day of November, 2016, by and between the BOARD OF COUNTY COMMISSIONERS, Yellowstone County, Montana, herein referred to as "BOARD", and Ed Bartlett, LLC, PO Box 1229, Helena, Montana 59624, herein referred to as "CONTRACTOR".

1. The BOARD employs CONTRACTOR to perform legislative services duties.

### **SCOPE OF SERVICES:**

2. CONTRACTOR agrees to perform, in a professional, timely manner, all of the duties, both expressed and implied, that relate to the following scope of services:
  - a) Represent the BOARD and its interests during the term of this Contract and report to the BOARD any pertinent information related to 2017 Montana Legislative Session and other State of Montana government relations matters as appropriate;
  - b) Disclose other parties represented by CONTRACTOR to the BOARD. Notify the BOARD and all parties if a conflict exists between the BOARD and other clients of CONTRACTOR;
  - c) Refrain from representing any of the parties involved in a conflict on that particular issue, unless the BOARD, CONTRACTOR and the other parties to the conflict specifically otherwise agree; provided however, the parties agree that, should a conflict arise, the parties will use best efforts to resolve such conflict.

### **TERM:**

3. The term of this Contract will commence on January 2, 2017, and terminate 30 days after the close of the 2017 Legislative Session. Either party reserves the right to terminate this contract at any time. Should either party desire to terminate this contract, the terminating party shall give thirty (30) days written notice. If CONTRACTOR is unable to represent the BOARD during the entire term of this agreement, CONTRACTOR shall be paid on a prorated basis for the days worked.

### **COMPENSATION AND EXPENSES:**

4. The BOARD shall pay CONTRACTOR a retainer fee of \$14,000.00 for the 2017 Montana Legislative Session, payable in four equal consecutive monthly installments of \$3,500.00 beginning January 31, 2017.
5. The CONTRACTOR shall provide timely invoices and reports to the BOARD, in addition to any required compliance reports for lobbyists.
6. The CONTRACTOR shall be responsible for CONTRACTOR'S costs for living, office and travel expenses incurred by CONTRACTOR during the 2017 Montana Legislative Session.

7. The BOARD shall reimburse CONTRACTOR for reasonable entertainment and lobbying expenses incurred during the term of this Contract up to \$250.00 per month unless written approval is obtained from the BOARD.

**INDEPENDENT CONTRACTOR:**

8. The CONTRACTOR is an independent contractor and not a County employee. The CONTRACTOR agrees to perform the labor and terms of this Contract as an independent contractor and nothing herein contained shall be construed to be inconsistent with this relationship or status. Nothing in this Contract shall be in any way construed to constitute the CONTRACTOR, or any of its agents or employees, are the employee of Yellowstone County for any purpose, or to be recipients of any benefits, pensions, insurance plans, payroll taxes, worker's compensation or State or Federal withholding taxes.

**WORKER'S COMPENSATION:**

9. The CONTRACTOR shall provide all required worker's compensation coverage for its agents and employees during the term of this contract.

**INSURANCE:**

10. CONTRACTOR will maintain for the term of this contract the following insurance coverage:
  - a) Commercial General Liability Insurance: \$1,000,000 each occurrence; \$2,000,000 general aggregate; with an additional excess umbrella liability of \$1,000,000.
  - b) Professional Liability Insurance: \$1,000,000 occurrence and aggregate issues.

**INDEMNITY:**

11. CONTRACTOR expressly agrees to hold harmless and indemnify Yellowstone County, its elected, employees, and agents from liability, loss, or damage(s), including costs and reasonable attorney's fees for defense of the same that Yellowstone County may suffer as a result of CONTRACTOR'S negligent acts, or omissions of CONTRACTOR'S agents or employees in the performance of the professional services under this Contract.

**LEGAL REMEDIES:**

12. Should either party commence litigation, arbitration, or mediation proceedings relating to this Contract, or to enforce or interpret any provisions of this Contract, the prevailing party shall be entitled to recover all reasonable expenses, including attorney fees, witness and expert witness fees and court costs as awarded by the court.
13. The parties agree that this contract shall be governed by the laws of the State of Montana, and that venue shall be the Thirteenth Judicial District Court, Billings, Yellowstone County, Montana.

14. CONTRACTOR shall not sublet or assign any of the services covered by this Contract without the express written consent of the BOARD.
15. This Contract constitutes the full and complete agreement between the BOARD and the CONTRACTOR. The provisions herein relating to the terms and conditions of this Legislative Services Contract supersedes any and all prior agreements, resolutions, practices, policies, rules and regulations concerning terms and conditions inconsistent with these provisions. Any modifications to this Contract shall be made in writing and signed by both parties.

**DISCRIMINATION:**

16. Yellowstone County does not discriminate on the basis of race, creed, color, religion, sex, national origin, disability, age, political belief or marital status. Entities contracting with Yellowstone County to deliver goods or services must insure that their agents, employees, and sub-contractors do not discriminate or cause for such discrimination as enumerated above among their employees or the recipients of the goods and or services offered.

**IN WITNESS WHEREOF**, the Parties have executed this Agreement effective the \_\_\_\_\_ day of November, 2016.

**Ed Bartlett, LLC**

**BOARD OF COUNY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA**

  
Ed Bartlett, Owner

\_\_\_\_\_  
John Ostlund, Chair

\_\_\_\_\_  
Robyn Driscoll, Member

\_\_\_\_\_  
James E Reno, Member

(SEAL) ATTEST:

\_\_\_\_\_  
Jeff Martin, Clerk and Recorder



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/18/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> PAYNEWEST INSURANCE INC P O BOX 6127 HELENA, MT 596046127 (888) 661-3938		<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): (888) 661-3938 FAX (A/C, No): (877) 662-6091 E-MAIL: Service.center@travelers.com ADDRESS: Service.center@travelers.com															
<b>INSURED</b> ED BARTLETT, LLC 1332 LUCCHESI RD HELENA, MT 59602		<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A : TRAVELERS CASUALTY INSURANCE COMPANY OF AMERICA</td> <td></td> </tr> <tr> <td>INSURER B : THE TRAVELERS INDEMNITY COMPANY</td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : TRAVELERS CASUALTY INSURANCE COMPANY OF AMERICA		INSURER B : THE TRAVELERS INDEMNITY COMPANY		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER D :																	
INSURER E :																	
INSURER F :																	

**COVERAGES**      **CERTIFICATE NUMBER:** 025357336480292      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> HIRED AUTO <input checked="" type="checkbox"/> NON OWNED AUTO GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			680-8845M255-16	11/21/2016	11/21/2017	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$300,000
							MED EXP (Any one person)	\$5,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COM/OP AGG	\$2,000,000
								\$
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$5,000			CUP-8982M225-16	11/21/2016	11/21/2017	EACH OCCURRENCE	\$1,000,000
							AGGREGATE	\$1,000,000
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE	
							OTH-ER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

<b>CERTIFICATE HOLDER</b> YELLOWSTONE COUNTY COMMISSIONERS PO BOX 35000 BILLINGS, MT 59107	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE <i>Mary J. Swan</i>
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**B.O.C.C. Regular**

Agenda Item 4. a.

**Meeting Date:** 11/15/2016

**Title:** 2016 AFG Grant MOU with Rural Fire Council

**Submitted For:** Brad Shoemaker, Emergency and General Services Director

**Submitted By:** Brad Shoemaker, Emergency and General Services Director

---

**TOPIC:**

MOU of Responsibilities of the County and the Rural Fire Departments Regarding the 2016 AFG Grant Application

**BACKGROUND:**

This is attached to the grant application on the agenda today. Previously discussed at 10/7/2016.

**RECOMMENDED ACTION:**

Agreement by the BOCC is recommended so that the county can assist with the grant administration.

---

**Attachments**

MOU

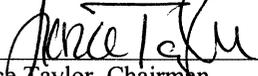
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**Memorandum of Understanding  
Between Yellowstone County Rural Fire Council and Yellowstone County  
For 2016 Assistance to Firefighters Grant**

The various fire districts, fire service areas and volunteer fire companies throughout Yellowstone County provide wildfire suppression. It is difficult to obtain funds to provide the equipment these districts, areas and companies need to suppress wildfires. The Department of Homeland Security, through FEMA's Assistance to Firefighters Grant (AFG) program provides grants to entities like the districts, areas and companies in the County that suppress wildfires. The Yellowstone County Rural Fire Council and Yellowstone County coordinate the efforts to suppress wildfires in Yellowstone County. To possibly obtain a grant from FEMA's Assistance to Firefighters Grant (AFG) program, the Council and the County agree:

- (1) The Council and County will submit a joint application for a grant from FEMA, a 2016 Assistance to Firefighters Grant.
- (2) The County, through the Yellowstone County Department Emergency Services, will administer the funds received through the grant in compliance with all applicable federal, state and local laws and regulations.
- (3) The Council and its members will provide any funds necessary to match the grant.
- (4) The Board will not be required to provide any funds necessary to match the grant.
- (5) The memorandum of understanding will begin when executed and end when all the obligations under the grant have been fulfilled.

**Yellowstone County Rural Fire Council**

  
\_\_\_\_\_  
Lance Taylor, Chairman  
Yellowstone County Rural Fire Council

11-9-16  
\_\_\_\_\_  
November 9, 2016

**Yellowstone County**

Yellowstone County Board of County Commissioners

\_\_\_\_\_  
John Ostlund, Chairman  
Yellowstone County Commissioner

\_\_\_\_\_  
November 15, 2016

\_\_\_\_\_  
James E. Reno, Member  
Yellowstone County Commissioner

Attest:

\_\_\_\_\_  
Robyn Driscoll, Member  
Yellowstone County Commissioner

\_\_\_\_\_  
Jeff Martin  
Yellowstone County Clerk and Recorder

**B.O.C.C. Regular**

Agenda Item 4. b.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

---

**TOPIC:**

Department of Homeland Security FY2016 Assistance to Firefighter's Grant Application - Requesting Rural Fire Communications Equipment

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Approve

---

**Attachments**

Firefighters Grant

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**Applicant's Acknowledgements**

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\* I certify the DUNS number in this application is our only DUNS number and we have confirmed it is active in SAM.gov as the correct number.

\* As required per 2 CFR § 25, I certify that prior to submission of this application I have checked the DUNS number listed in this application against the SAM.gov website and it is valid and active at time of submission.

\* I certify that the applicant organization has consulted the appropriate Notice of Funding Opportunity and that all requested activities are programmatically allowable, technically feasible and can be completed within the award's one (1) year Period of Performance (POP).

\* I certify that the applicant organization is aware that this application period is open from 10/11 to 11/18/2016 and will close at 5 PM EST; further that the applicant organization is aware that once an application is submitted, even if the application period is still open, a submitted application cannot be changed or released back to the applicant for modification.

\* I certify that the applicant organization is aware that it is solely the applicant organization's responsibility to ensure that all activities funded by this award(s) comply with Federal Environmental planning and Historic Preservation (EHP) regulations, laws, and Executive Orders as applicable. The EHP Screening Form designed to initiate and facilitate the EHP Review is available at: [http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/gpd\\_ehp\\_screening\\_form\\_51815.pdf](http://www.fema.gov/media-library-data/1431970163011-80ce3cd907072a91295b1627c56d8fd2/gpd_ehp_screening_form_51815.pdf)

\* I certify that the applicant organization is aware that the applicant organization is ultimately responsible for the accuracy of all application information submitted. Regardless of the applicant's intent, the submission of information that is false or misleading may result in actions by FEMA that include, but are not limited to: the submitted application not being considered for award, an existing award being locked pending investigation, or referral to the Office of the Inspector General.

Signed by **Bradley Shoemaker** on **2016-11-10 16:49:06.0**

**Overview**

<p><b>* Did you attend one of the workshops conducted by an AFG regional fire program specialist?</b></p> <p>Yes, I have attended workshop</p>
<p><b>* Did you participate in a webinar that was conducted by AFG?</b></p> <p>Yes</p>
<p><b>* Are you a member, or are you currently involved in the management, of the fire department or nonaffiliated EMS organization or a State Fire Training Academy applying for this grant with this application?</b></p> <p>No, I am a grant writer or otherwise not affiliated with this applicant</p>

If you answered "No", please **complete** the information below. If you answered "Yes", please skip the Preparer Information section.

**Fields marked with an \* are required.**

Preparer Information

Preparer's Name	Dianne Lehm
Address 1	Big Sky Economic Development
Address 2	222 North 32nd Street #200
City	Billings
State	Montana
Zip	59101 - 1948 <a href="#">Need help for ZIP+4?</a>

In the space below please list the person your organization has selected to be the primary point of contact for this grant. This should be a department officer or member of the organization who will see this grant through completion, including closeout. Reminder: if this person changes at any time during the period of performance please update this information. Please list only phone numbers where we can get in direct contact with the POC.

Primary Point of Contact

* Title	Director of Disaster and Emergency Services
Prefix (select one)	N/A
* First Name	Bradley
Middle Initial	
* Last Name	Shoemaker
* Primary Phone	406-208-0506 Ext. Type work
* Secondary Phone	406-702-2344 Ext. Type cell
Optional Phone	Type
Fax	406-256-6947
* Email	bshoemaker@co.yellowstone.mt.gov

**Contact Information**

---

## Alternate Contact Information Number 1

\* Title Chief Lockwood Fire  
Prefix (select one) N/A  
\* First Name John  
Middle Initial  
\* Last Name Staley  
\* Primary Phone 406-855-0400 Ext. Type cell  
\* Secondary Phone 406-252-1460 Ext. Type work  
Optional Phone Type  
Fax  
\* Email jstaley@lockwoodfire.com

## Alternate Contact Information Number 2

\* Title Chief Worden Fire  
Prefix (select one) N/A  
\* First Name Lance  
Middle Initial  
\* Last Name Taylor  
\* Primary Phone 406-698-0494 Ext. Type work  
\* Secondary Phone 406-967-2731 Ext. Type cell  
Optional Phone Type  
Fax  
\* Email ltaylor@feiinc.com

**Applicant Information**

* Organization Name	County of Yellowstone
* Type of Applicant	Fire Department/Fire District (Regional)
* <b>Fire Department/District, nonaffiliated EMS, and Regional applicants</b> , select type of Jurisdiction Served :	County
If "Other", please enter the type of Jurisdiction	

**SAM.gov (System For Award Management)**

\* What is the legal name of your Entity as it appears in SAM.gov?

Note: This information must match your SAM.gov profile if your organization is using the DUNS number of your Jurisdiction. County of Yellowstone

\* What is the legal business address of your Entity as it appears in SAM.gov?

Note: This information must match your SAM.gov profile if your organization is using the DUNS number of your Jurisdiction.

\* Mailing Address 1 217 N 27th St

Mailing Address 2

\* City Billings

\* State Montana

\* Zip 59101 - 1939  
[Need help for ZIP+4?](#)

\* Employer Identification Number (e.g. 12-3456789)

Note: This information must match your SAM.gov profile. 81-6001449

\* Is your organization using the DUNS number of your Jurisdiction? Yes

I certify that my organization is authorized to use the DUNS number of my Jurisdiction provided in this application. (Required if you selected Yes above)

\* What is your 9 digit DUNS number? 071404941

(call 1-866-705-5711 to get a DUNS number)

If you were issued a 4 digit number (DUNS plus 4) by your Jurisdiction in addition to your 9 digit number please enter it here.

Note: This is only required if you are using your Jurisdiction's DUNS number and have a separate bank account from your Jurisdiction. Leave the field blank if you are using your Jurisdiction's bank account or have your own DUNS number and bank account separate from your Jurisdiction.

Yes

\* Is your DUNS Number registered in SAM.gov (System for Award Management previously CCR.gov)?

\* I certify that my organization/entity is registered and active at SAM.gov and registration will be renewed annually in compliance with Federal regulations. I acknowledge that the information submitted in this application is accurate, current and consistent with my organization's/entity's SAM.gov record.

**Headquarters or Main Station Physical Address**

\* Physical Address 1 217 N 27th St  
 Physical Address 2  
 \* City Billings  
 \* State Montana  
 \* Zip 59101 - 1939  
[Need help for ZIP+4?](#)

**Mailing Address**

\* Mailing Address 1 217 N 27th St  
 Mailing Address 2  
 \* City Billings  
 \* State Montana  
 \* Zip 59101 - 1939  
[Need help for ZIP+4?](#)

**Bank Account Information**

\* The bank account being used is: (Please select one from right)

Maintained by my Jurisdiction

Note: The following banking information must match your SAM.gov profile.

\* Type of bank account   
 \* Bank routing number - 9 digit number on the bottom left hand corner of your check 092905278  
 \* **Your account number** 4030126366

**Additional Information**

\* For this fiscal year (Federal) is your organization receiving Federal funding from any other grant program that may duplicate the purpose and/or scope of this grant request?

\* If awarded, will your organization expend more than \$750,000 in Federal funds during your organization's fiscal year? If "Yes", your organization will be required to undergo an A-133 audit. Reasonable costs incurred for an A-133 audit are an eligible expenditure and should be included in the applicant's proposed budget. Please enter audit costs only once

under any "Additional Funding" in the "Request Details" section of the application.

\* Is the applicant delinquent on any Federal debt?

No

If you answered yes to any of the additional questions above, please provide an explanation in the space provided below:

**Regional Request Department Characteristics (Part I)**

---

* What kind of organization do you represent?	Combination
If you answered "Combination", above, how many Career members are in your organization? (whole number only)	30
* What type of community will your regional project serve (what is the make up of the majority of the region affected by the project)?	Rural
* Is your Organization considered a Metro Department? (Over 350 paid career Firefighters)	No
* What is the square mileage of the region affected by the project? (whole number only)	2666
* In what county/parish is the host applicant physically located? If you have more than one station, in what county/parish is your main station located?	County of Yellowstone
* Does your region protect critical infrastructure of the state?	Yes
* What percentage of your region's land use is for Agriculture , Wildland , Open space, or Undeveloped properties?	98 %
* What percentage of your region's land use is for commercial and industrial purposes?	1 %
* What percentage of your region's land is used for residential purposes?	1 %
* What is the permanent resident population of your region served? Remember this is the combined population of all departments/agencies included in this application	50000
*Do you have a seasonal increase in population?	No
If "Yes" what is your seasonal increase in population?	
* What is the total membership in your region? <i>Remember this is the <u>combined</u> personnel of all departments/agencies included in this application.</i>	203
*How many active members are trained to Firefighter I?	47
*How many active members are trained to Firefighter II?	18
*How many active BLS providers does your region have?	2
*How many active ALS providers does your region have?	1
*How many active Emergency Medical Responders does your region have?	25

- \*How many personnel are trained to the Community Paramedic level?
- \* How many stations are in your region?
- \* If you (the host applicant) are a fire department, do you report to the National Fire Incident Reporting System (NFIRS)?

If you answered "Yes" above, please enter your Requesting departments FDIN/FDID

- \* How many regional partners will directly participate in this project?

\* Please list each participating agency by name along with a point of contact, to include a phone number. All regional participants must be eligible as defined by the AFG Funding Opportunity Announcement (e.g., Fire Departments or nonaffiliated EMS organizations)

Participating Organization Name	First Name	Last Name	Phone Number	Action
Worden Fire Department	Lance	Taylor	406-967-2731 Ext:	<a href="#">View</a>
Shepherd Fire Department	Phil	Ehlers	406-671-5113 Ext:	<a href="#">View</a>
Lockwood Fire Department	John	Staley	406-855-0400 Ext:	<a href="#">View</a>
Laurel Fire Department	Brent	Peters	406-860-0782 Ext:	<a href="#">View</a>
Haley Bench Fire Department	Mike	Hammond	406-855-4596 Ext:	<a href="#">View</a>
Broadview Fire Department	Travis	Jones	406-855-1065 Ext:	<a href="#">View</a>
Blue Creek Fire Department	Rick	Cortez III	406-208-0524 Ext:	<a href="#">View</a>
Custer Fire Department	Brad	Shoemaker	406-208-0506 Ext:	<a href="#">View</a>

- \* Do all departments in this request report to NFIRS?

- \* Do all agencies meet the regional minimum for NIMS compliancy?

\* What services are provided by your organization and the organizations participating in the regional application?

Advanced Life Support Transport	Haz-Mat Operational Level
Basic Life Support Non-Transport	Haz-Mat Technical Level
Basic Life Support Transport	

\* Please describe your organization and/or community that you serve. We recommend typing your response in a Word Document outside of this application, then copying and pasting it into the written field. There is a 4000 character limit.

Yellowstone County, located in south central Montana, is the most populous County with an estimated 157,048 residents according to the 2015 Census but is still considered rural by today's standards. The county is 2,666 square miles in area, 2,635 square miles in land area and 31 square miles in inland water area. There are two incorporated cities in Yellowstone County, the City of Billings, and the City of Laurel, and one incorporated town, the town of Broadview. The remainder of the county is unincorporated rural

communities including Acton, Ballantine, Custer, Huntley, Pompeys Pillar, Shepherd and Worden. A portion of the Crow Indian Reservation lies within Yellowstone County. Billings, the county seat, is the state's largest city with a population of 110,263 as of the 2015 Census. Billings's primary industries are major retail and wholesale trade, financial, energy, transportation, and healthcare. Census data shows that between 2000 and 2012, Billings's population increased by 16.6%. While the majority of the County's population resides in or within close proximity to the City of Billings, the remainder of the County is very rural and has many areas where cell service is sparse or nonexistent.

The eight identified applicants serve the rural areas of Yellowstone County and provide their services in mostly volunteer capacities. Yellowstone County includes the small rural communities of Laurel, Lockwood, Shepherd, Worden, Huntley all home to significant residential areas and critical infrastructure. The rural departments serve approximately 50,000 people, critical infrastructure includes two oil refineries (CHS and Exxon) and a large (BNSF) Train yard. These areas include significant HAZMAT sites having unique service requirements. Yellowstone County has several businesses using hazardous materials including chemical distribution and oil and gas production and distribution. These rural emergency services departments also respond to medical and fire emergencies on two interstate highways, I-90 and I-94 which intersect in our service area. These corridors are major public and commercial transportation in Montana and are the main transportation routes south to Wyoming, and to eastern Montana, North Dakota and the Bakken Oil Fields. Multiple petroleum pipelines run through our service area including below the Yellowstone River.

Yellowstone County's Emergency and General Services is directed by Brad Shoemaker, DES Director and County Rural Fire Warden. The DES Director is responsible for coordination efforts in emergency events, oversight of the Emergency Operations Center and equipment, ensuring all area plans are up-to-date (Emergency Operations Plan, Pre Disaster Mitigation Plan, the Community Wildfire Protection Plan, and many others), working with an active Local Emergency Planning Committee, scheduling regional training, and coordinating the rural fire council to name a few. As the County Fire Warden, Brad Shoemaker oversees 13 departments and districts throughout the County comprised mostly of volunteers.

One of the greatest risks to Yellowstone County identified in the Pre Disaster Mitigation Plan and the Community Wildfire Protection Plan is wildfire. Yellowstone County has experienced many wildfires throughout the County during the last several years which threatened and in some cases destroyed homes and endangered the residents of Yellowstone County.

After taking over the post in early 2016, the DES Director identified several deficiencies related to communications and is working to resolve or greatly reduce those deficiencies. One of the most important resources in rural fire and emergency response is communication equipment.

**Regional Characteristics (Part II)**

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	2015	2014	2013
* What is the total number of line of duty member fatalities in your region over the last three calendar years?	0	0	0
* What is the total number of line of duty member injuries in your region over the last three calendar years?	0	0	0
*What is the cumulative total of the three-year budgets of all participating organizations in this project?	2900000		
* How much of this declared budget is dedicated to personnel costs (salary, fringe, and overtime)?	1508000		
* What percentage of the declared operating budget is derived from:	2015	2014	2013
Enter numbers only, percentages must sum up to 100%			
<u>Taxes?</u>	81 %	81 %	81 %
Bond Issues?	0 %	0 %	0 %
<u>EMS Billing?</u>	4 %	4 %	4 %
Grants?	4 %	4 %	4 %
Donations?	3 %	3 %	3 %
Fund drives?	1 %	1 %	1 %
<u>Fee for Service?</u>	7 %	7 %	7 %

\* Applicants should describe their financial need and how consistent it is with the intent of the AFG Program. This statement should include details describing the applicant's financial distress, including summarizing budget constraints, unsuccessful attempts to obtain vehicle and outside funding, and proving the trouble is out of their control

Yellowstone County operates on a fiscally conservative budget. The County has several businesses protesting their tax liability in recent years placing additional constraints on spending and creating concerns on expending any reserves. Yellowstone County Commissioners have asked department heads to reduce expenses and keep costs to a minimum. The County, as well as Disaster and Emergency Services, continue to look for ways to resolve deficiencies to better serve the population of the County.

Each of the departments included in this application are rural fire departments with small budgets for providing emergency services. The departments are adept at seeking and purchasing used handed down equipment for their operations including trucks and apparatus, PPE, and station equipment, but communications are critical to effectively responding to incidents in the rural areas and radio communications need to be operating fully and properly.

Yellowstone County DES and individual departments have sought funding through other sources but have not been able to obtain the needed funding for the requested communication equipment. The applicants have an urgent need to replace and add to aging and outdated communications equipment and increase interoperability. A significant number of radios in use today throughout the multiple departments are over 15 years old and are past their serviceable life. Many response vehicles and members are not equipped with sufficient required communications equipment which creates safety and operational issues on incidents. Additionally, interoperability with the City of Billings Fire Department, who are on an 800 MHz radio system, requires communication between entities to rely solely on a patch through the local dispatch center. This can create confusion, and inefficient methods of communication in times when effective communication is irreplaceable. Without these new radios and an upgrade to current interoperability between entities will continue to decline as the rural department radios are unable to be replaced. This shortfall is not acceptable to emergency departments, nor is it to constituents of Yellowstone County, therefore it is identified as a high priority to DES Director Brad Shoemaker and collectively the Yellowstone County Commissioners. By funding this grant each department will be able to fulfill its radio communication needs. A common communication plan for large rural fires has been established across the county and with our state and federal partners

following state mutual aid frequency guidelines. Each of these radios will be programmed with each of these common partner groups to ensure a common seamless communications plan on large fires and multi-agency incidents.

**\* How many vehicles are operational within the region in each of the type or class of vehicle listed below? You must include vehicles that are leased or as well as any vehicles that have been ordered or otherwise currently under contract for purchase or lease by your organization but not yet in your possession.** (Enter numbers only and enter 0 if you do not have any of the vehicles below)

Type or Class of Vehicle	Number of Front Line Apparatus	Number of Reserve Apparatus	Number of Seated Riding Positions
Engines or Pumpers (pumping capacity of 750 gpm or greater and water capacity of 300 gallons or more): Pumper, Pumper/Tanker, Rescue/Pumper, Foam Pumper, CAFS Pumper, Type I, Type II Engine Urban Interface	17	0	68
Ambulances that are used for transport:	8	0	16
Tankers or Tenders (pumping capacity of less than 750 gallons per minute (gpm) and water capacity of 1,000 gallons or more):	15	0	30
Aerial Apparatus: Aerial Ladder Truck, Telescoping, Articulating, Ladder Towers, Platform, Tiller Ladder Truck, Quint	2	0	8
Brush/Quick attack (pumping capacity of less than 750 gpm and water carrying capacity of at least 300 gallons): Brush Truck, Patrol Unit (Pickup w/ Skid Unit), Quick Attack Unit, Mini-Pumper, Type III Engine, Type IV Engine, Type V Engine, Type VI Engine, Type VII Engine	37	0	37
Rescue Vehicles: Rescue Squad, Rescue (Light, Medium, Heavy), Technical Rescue Vehicle, Hazardous Materials Unit	3	0	5
Additional Vehicles: EMS Chase Vehicle, Air/Light Unit, Rehab Units, Bomb Unit, Technical Support (Command, Operational Support/Supply), Hose Tender, Salvage Truck, ARFF (Aircraft Rescue Firefighting), Command/Mobile Communications Vehicle, Bariatric Ambulance(s)	8	0	10

## Regional Call Volume

2015                      2014                      2013

\* **Summary** of responses per year by category (Enter whole number only. If you have no calls for any of the categories, Enter 0)

Fire - NFIRS Series 100	879	475	518
Overpressure Rupture, Explosion, Overheat (No Fire) - NFIRS Series 200	40	28	40
Rescue & Emergency Medical Service Incident - NFIRS Series 300	430	531	542
Hazardous Condition (No Fire) - NFIRS Series 400	12	18	6
Service Call - NFIRS Series 500	58	44	60
Good Intent Call - NFIRS Series 600	3	7	8
False Alarm & False Call - NFIRS Series 700	50	84	61
Severe Weather & Natural Disaster - NFIRS Series 800	0	0	0
Special Incident Type - NFIRS Series 900	2	1	1

### FIRES

\* How many responses per year by category? (Enter whole number only. If you have no calls for any of the categories, Enter 0)

Of the NFIRS Series 100 calls, how many are "Structure Fire" (NFIRS Codes 111-120)	70	66	86
Of the NFIRS Series 100 calls, how many are "Vehicle Fire" (NFIRS Codes 130-138)	40	45	40
Of the NFIRS Series 100 calls, how many are "Vegetation Fire" (NFIRS Codes 140-143)	175	172	197
What is the total acreage of all vegetation fires?	200	1600	250

### RESCUE AND EMERGENCY MEDICAL SERVICE INCIDENTS

\* How many responses per year by category? (Enter whole number only. If you have no calls for any of the categories, Enter 0)

Of the NFIRS Series 300 calls, how many are "Motor Vehicle Accidents" (NFIRS Codes 322-324)	312	341	347
Of the NFIRS Series 300 calls, how many are "Extrications from Vehicles" (NFIRS Code 352)	24	36	28
Of the NFIRS Series 300 calls, how many are "Rescues" (NFIRS Codes 300, 351, 353-381)	4	3	3
How many EMS-BLS Response Calls	426	528	539
How many EMS-ALS Response Calls	450	443	482
How many EMS-BLS Scheduled Transports	0	0	0
How many EMS-ALS Scheduled Transports	0	0	0
How many Community Paramedic Response Calls	0	0	0

### MUTUAL AND AUTOMATIC AID

\* How many responses per year by category? (Enter whole number only. If you have no calls for any of the categories, Enter 0)

How many times did your organization receive Mutual Aid?	8	2	0
How many times did your organization receive Automatic Aid?	22	19	22
	8	2	0

How many times did your organization provide Mutual Aid?			
How many times did your organization provide Automatic Aid?	22	19	22
Of the Mutual and Automatic Aid responses, how many were structure fires?	22	19	22

**Regional Request Information**

---

1. Select a program for which you are applying. **Regional applications are not eligible for modification of facilities or wellness and fitness programs.** You can apply for as many activities within a program as you need.

Program Name

Regional Request

2. Enter grant-writing fee associated with the preparation of this request. Enter 0 if there is no fee.

\$1500

**Request Details**

---

The activities for program **Regional Request** are listed in the table below.

Activity	Number of Entries	Total Cost	Additional Funding	Action
Equipment	3	\$ 390,000	\$ 0	<a href="#">View Details</a> <a href="#">View Additional Funding Narratives</a>
Personal Protective Equipment	0	\$ 0	\$ 0	<a href="#">View Details</a>
Training	0	\$ 0	\$ 0	<a href="#">View Details</a>
Grant-writing fee associated with the preparation of this request.			\$1500	

**Regional Equipment - Narrative**

---

\* Section # 1 Project Description: In the space provided below, include clear and concise details regarding your organization's project's description and budget. This includes providing local statistics to justify the needs of your department and a detailed plan for how your department will implement the proposed project. Further, please describe what you are requesting funding for, including budget descriptions of the major budget items, i.e., personnel, equipment, contracts, etc. \*4000 characters

---

The applicants serve the rural areas of Yellowstone County, Montana. Yellowstone County is home to the communities of Laurel, Lockwood, Shepherd, Worden, Huntley and significant residential and commercial areas and critical infrastructure. The rural departments cover approximately 50,000 people, two oil(CHS and Exxon)refineries and a large(BNSF)train yard. These industrial areas include significant HAZMAT sites and difficult service requirements. The rural areas of the county also respond to medical and fire emergencies on two interstate highways, I-90 and I-94 which intersect in our service area. These corridors are major public and commercial transportation in Montana and are the main transportation routes south to Wyoming, and to eastern Montana, North Dakota and the Bakken Oil Fields. Multiple petroleum pipelines run through our service area as well including below the Yellowstone River.

Yellowstone County is in need of fully functioning P25 compliance mobile, portable, and base radio equipment to provide reliable communications throughout all of Yellowstone County. Yellowstone County Rural Fire is proposing to replace aging and outdated equipment to create a reliable system for emergency communications. The DES Director met with each department/district within Yellowstone County to determine the condition of current equipment, deficiencies in current communication equipment, and needs of each department to serve the citizens of Yellowstone County. The request is for 75 mobile radios, 100 portable radios, and 12 base stations. All radio equipment proposed will be P25 compliant with multi-protocol support. The radios need to be VHF/UHF/700-800MHZ Transceiver is P25 (I&II) NXDN (conventional and Type C trunked) Multi-digital portable radios for total interoperability. The radios should have automatic call identification, enhanced mixed operation, LCD displays, active noise cancelling to reduce background noise, built in Bluetooth, GPS to transmit position, encryption equipped, and extended life intelligent management for batteries.

Rural Yellowstone County emergency response departments have seen a significant rise in the number of calls they receive. Overall the number of calls has risen over by over 1/3 in the last three years. In 2015, rural departments received 70 structure fire calls, 40 vehicle fire calls, and 175 vegetation fire calls. Rescue and emergency medical service incidents for 2015 included 312 motor vehicle incidents, 24 extractions from vehicles, with 876 EMS responses.

This grant is requesting funds to purchase, program and install 187 portable, mobile or base station VHF radios which meet P-25 compliance and are capable of Phase 2 narrow banding. By incorporating these radios to each department, they will be able to confidently serve their constituents regardless of the rural area of the Yellowstone County. Individual respondents will be able to confidently concentrate on their duty and task compared to communication concerns in addition to their duty. The funds will be utilized for equipment and installation to increase the capabilities of the departments to communicate across departments in the county and region. The standardization and upgrade of equipment will allow for the programming of a common-accepted communications plan that will allow County Fire-EMS-Law Enforcement agencies in the area to communicate during large incidents. Interoperability in the region with the neighboring municipality, who is on a trunked 800MHz radio system will also be increased because interoperability is through a patch in the dispatch center. With the increased radios, more trucks and personnel will be able to communicate back to the dispatch center and thus across all agencies in the region. The requested equipment includes 75 mobile radios, 100 portable radios, and 12 base stations to fully equip the rural fire departments within Yellowstone County. The total request for equipment is \$390,000.

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\* Section # 2 Cost/Benefit: In the space provided below please explain, as clearly as possible, what will be the benefits your department or your community will realize if the project described is funded (i.e. anticipated savings and/or efficiencies)? Is there a high benefit for the cost incurred? Are the costs reasonable? Provide justification for the budget items relating to the cost of the requested items. \*4000 characters

---

The cost benefit with this grant proposal is difficult to quantify but clear to see. The aging and outdated radio communications components in Yellowstone County are in desperate need to be replaced. Updated radios will provide benefit to internal communications amongst departments, but it will also allow rural department to communicate together. Most rural Departments serve in volunteer capacities; this often creates restrictions to services or emergency situations; other Departments if available can assist in providing service. This will allow efficient communication between Departments and how efforts can be effectively initiated. In previous reports, a lack of radios and a pre-identified common communications plan were pre-identified on three major incidents in the last year including two large fires and one large-scale search and rescue operation. This equipment will allow for the programming of a recently adopted communications plan developed by the Rural Fire Council and Local Emergency Planning Committee following guidance from the state mutual aid frequency guide. The benefits of working communication systems are numerous including clear information flow from command to operation level responders, increased safety, better response organization and increased coordination during interagency operations on large incidents.

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\* Section # 3 Statement of Effect: How would this award impact the daily operations of your department? How would this award impact your department's ability to protect lives and property in your community? \*4000 characters

---

Daily operations of the rural departments involved will be improved by allowing for a common communications plan and equipment to improve and expand communications within the individual departments and also during mutual aid and interagency incident response. The recently accepted common communications plan cannot be fully implemented without this equipment as many departments have older radios or low-budget radios which only allow for one group of channels to be programmed in. The proposed radio purchase will allow for multiple groups to be programmed in the radios for mutual aid or incident specific communication plans. The addition of these radios will also increase the number of radios each department has significantly which will allow for expanded communications, better flow of information to and from command and operations staff. These improvements will result in increased safety, coordination and a more timely response for the residents of our protection areas.

**Budget**

Budget Object Class

a. Personnel	\$ 0
b. Fringe Benefits	\$ 0
c. Travel	\$ 0
d. Equipment	\$ 390,000
e. Supplies	\$ 0
f. Contractual	\$ 0
g. Construction	\$ 0
h. Other	\$ 1,500
i. Indirect Charges	\$ 0
j. State Taxes	\$ 0

Federal and Applicant Share

Federal Share	\$ 355,910
Applicant Share	\$ 35,590
Applicant Share of Award (%)	10

\* Non-Federal Resources (The combined Non-Federal Resources must equal the Applicant Share of \$ 35,590)

a. Applicant	\$ 25590
b. State	\$ 0
c. Local	\$ 10000
d. Other Sources	\$ 0

If you entered a value in Other Sources other than zero (0), include your explanation below. You can use this space to provide information on the project, cost share match, or if you have an indirect cost agreement with a federal agency.

**Total Budget** **\$ 391,500**

**B.O.C.C. Regular**

Agenda Item 5. a.

**Meeting Date:** 11/15/2016

**Title:** BFLW - NAPA

**Submitted By:** Theresa Covington, Accountant

---

**TOPIC:**

Bond for Lost Warrant

**BACKGROUND:**

Bond for Lost Warrant - NAPA Auto Parts

**RECOMMENDED ACTION:**

Please approve. Thank you!!

---

**Attachments**

BFLW - NAPA

---

**BOND FOR LOST WARRANT**

On February 5, 2016, Yellowstone County issued a warrant numbered 455163 to NAPA AUTO PARTS (Principal) in the amount of \$90.19. The warrant was drawn in payment of claim number 495577 & 495576. Principal now attests that the warrant has been lost or destroyed, and it has undertaken a diligent search but has been unable to recover the warrant. Moreover, Principal has not received payment on the claim. Therefore, Principal has requested that Yellowstone County issue a duplicate warrant in the same sum of \$90.19 to replace the lost or destroyed warrant.

WHEREFORE, Principal agrees to indemnify and hold harmless Yellowstone County and its officers from all loss, costs, or damages incurred as a result of issuing the duplicate warrant, should Yellowstone County issue a duplicate warrant, and agrees to release any and all claims that principal may have against Yellowstone County now or in the future as related to payment of the above stated claim. Principal also agrees to pay to any person entitled to receive payment under the original warrant, as the lawful holder of the original warrant, all monies received upon the duplicate warrant.

Further, Principal agrees to bind itself, its heirs, assigns, executors, administrators, successors and assigns, jointly and severally, for twice the amount of the original warrant as required by M.C.A. 7-7-2104 (2), which is \$ 180.38 and may be enforced in the event the Principal cashes both the original warrant and the replacement warrant. In addition, Principal agrees to pay reasonable attorney's fees, and to cover all losses, damages, and other costs incurred by Yellowstone County in enforcing its rights under this bond.

Signed this 28th day of October, 2016

Genuine Parts company Principal "Melissa M. Vines" Principal

5959 Collections Center Drive  
Mailing Address for replacement check

Chicago, IL 60693

SUBSCRIBED AND SWORN to before me this 28th day of October, 2016.

(NOTARIAL SEAL)

[Signature]  
Notary public for the State of GA  
Residing at Decatur City  
My commission expires 5-14-2017

APPROVED:

\_\_\_\_\_  
Chair, Board of County Commissioners

\_\_\_\_\_  
Date

Replaced with warrant # \_\_\_\_\_ (completed by County)

7/14/16

**B.O.C.C. Regular**

Agenda Item 5. b.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Resolution 16-125 Creating RSID 831M - Fire Rock Subdivision - Dry Hydrant

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Approve

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**B.O.C.C. Regular**

Agenda Item 6.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Final Resolution 16-123 to Abandon Sleeper Lane

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Approve

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**Attachments**

Resolution 16-123

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## **YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS**

Resolution No. 16-123

### **Resolution to Abandon Sleeper Lane**

WHEREAS, pursuant to Sections 7-14-2101, 7-14-2102 and 7-14-2103 of the Montana Code Annotated, a board of county commissioners has the authority to manage county roads within the county. Pursuant to Section 7-14-2615 of the Montana Code Annotated, a board of county commissioners has the authority to abandon a county road after a public hearing.

WHEREAS, Sleeper Lane is a dedicated public road within Yellowstone County. The Road was never constructed. It is a dead end Road that leads to nowhere. The Yellowstone County Board of County Commissioners has the authority to manage the Road, including the authority to abandon the Road.

WHEREAS, on April 20, 2015, the Board received a petition to abandon the Road. The Board reviewed the petition. The petition appeared legally sufficient. More than ten freeholders in the County executed the petition, all the property owners whose property abuts the Road have agreed to the abandonment, no one uses the Road for access to their property and the Road does not provide access to public land. The property owners want the Road abandoned because it is not needed by the public and is an encumbrance on their property that serves no public purpose. The Board believed that it may be in the best interest of the public to abandon the Road.

WHEREAS, on May 26, 2015, the Yellowstone County Board of County Commissioners passed a resolution to create a Board of Viewers to make a recommendation on the proposed abandonment. On June 16, 2015, the Board of Viewers submitted its recommendation on the proposed abandonment. It recommended that the Board abandon the Road with several conditions. On June 19, 2015 and June 26, 2016, the Yellowstone County Clerk and Recorder published notice of the public hearings and the petition in the *Billings Gazette*.

WHEREAS, on June 30, 2015, the Board held a public hearing on the proposed abandonment. The Board heard comments on the proposed abandonment and considered the Board of Viewers' recommendation. The Board determined that it would be in the best interest of the public to abandon the Road. The Road is unconstructed, leads to nowhere, serves no public purpose, such as access to public land, and would cost a substantial amount to construct. On the same date, the Board passed a resolution of intent to abandon the Road if Mark Bretz met the following conditions: (1) Petitioner shall file an amended plat of Cole Acreage Tracts and Johnston Subdivision First Filing, Aggregating the abandoned right of way into tracts 5 and 6 of Cole Acreage Tracts and also to lots 5, 6, 7 and 8 of Johnston Subdivision First Filing, (2) If the Petitioner desires not to aggregate Tracts 5 and 6 Cole Acreage Tracts into one lot, and Lots 5, 6, 7 and 8 of Johnston Subdivision First Filing into one lot (so that interior tracts and lots are not land locked if they were sold in the future to separate owners), petitioner shall record public easement's that would allow for access, and (3) Petitioners shall record a document granting unto all utility companies (for existing public and private utilities) as such are defined and established by Montana Law, and cable television companies, a perpetual easement of a minimum of ten (10) feet in width for the location, maintenance, repair and removal of their lines and utilities over, under and across the roadway or alley areas in this abandonment. On November 3, 2016, Bretz advised the Yellowstone County Public Works Department that he had satisfied the conditions to have the Road abandoned. The Public Works Department verified that the conditions had been satisfied.

**Resolution No. 16-123**

**Resolution to Abandon Sleeper Lane**

**1 of 2**

NOW THEREFORE, BE IT RESOLVED,

The Yellowstone County Board of County Commissioners abandons Sleeper Lane as indicated in the petition. The conditions to abandon the Road have been satisfied. The Board orders the Yellowstone County Public Works Director to modify the County Road Book to indicate the Road abandoned and to send by certified mail a copy of this resolution to those property owners whose property abuts the abandoned Road.

Passed and Adopted on the 15<sup>th</sup> day of November 2016.

BOARD OF COUNTY COMMISSIONERS  
YELLOWSTONE COUNTY, MONTANA

\_\_\_\_\_  
John Ostlund, Chairman  
Yellowstone County Commissioner

\_\_\_\_\_  
James E. Reno, Member  
Yellowstone County Commissioner

Attest:

\_\_\_\_\_  
Robyn Driscoll, Member  
Yellowstone County Commissioner

\_\_\_\_\_  
Jeff Martin  
Yellowstone County Clerk and Recorder

State of Montana        }  
                                  ss.  
County of Yellowstone   }

On \_\_\_\_\_, before me personally appeared John Ostlund, James E. Reno and Robin Driscoll, members of the Board of County Commissioners of Yellowstone County, and Jeff Martin, the Yellowstone County Clerk and Recorder, and acknowledged to me that they executed this Resolution to Abandon Sleeper on behalf of Yellowstone County in their official capacities as Board Members and the Clerk and Recorder.

\_\_\_\_\_

**B.O.C.C. Regular**

Agenda Item 7.

**Meeting Date:** 11/15/2016

**Title:** Upgrade Flip Phone to Smart Phone

**Submitted For:** Sam Bofto

**Submitted By:** Mary Matteson

---

**TOPIC:**

Request to Expend for the Purchase of a Smart Phone to Replace a Flip Phone for Sheriff Labor Detail and 24/7 Program Detention Sergeant

**BACKGROUND:**

Detention Sergeant is currently using a flip phone. Upgrade for ability to receive and transmit e-mails regarding 24/7 and SLD Programs.

**RECOMMENDED ACTION:**

Approve as recommended.

---

**Attachments**

YCDF Smart Phone

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**YELLOWSTONE COUNTY  
REQUEST TO EXPEND**

This form is to be completed for all capital outlay request (a single item costing \$500.00 or more with a useful life of at least one year). Please attach all pertinent paperwork with price quotes. If available, and forward to the Purchasing Department with a completed purchase requisition. The account numbers and budget balance lines must be completed by the requesting department. Please use the most recent budget report to obtain this information. This data will be verified by the Purchasing Department. If the item(s) to be purchased are over the budgeted amount or were not budgeted, Commissioners approval is required prior to placing the order.

Item(s) requested: 1 Phone 6 Smart Phone

Cost: \$99

Other costs: Approx \$68.48 per month data charges

Less trade-in/discount: \_\_\_\_\_

Net cost of request: \$822.75/annual cost

Explanation of purchase: Current cell phone is broken - upgrade is requested for 24/7 contact For SLD and 24/7 programs run through the detention facility

<u>SHERIFF</u>		<u>11/3/16</u>
Department	Elected Official or Department Head	Date

**BUDGET INFORMATION**

**COMMISSIONER ACTION**

Account Numbers: 2300-136-420200-345

Budget Balance: 21930.33

Is this a budgeted item? No

Finance Note: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approved:      Yes      No

Tabled: \_\_\_\_\_

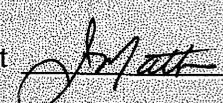
Date: \_\_\_\_\_

Votes:      Yes      No

Chairperson          

Member          

Member          

Purchasing Agent  Date: 11-10-2016

**B.O.C.C. Regular**

Agenda Item 8.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

---

**TOPIC:**

**PERSONNEL ACTION REPORTS - MetraPark - 1 Appointment; Sheriff's Office - 1 Appointment, 2 Salary & Other**

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Approve

---

**Attachments**

PARS

---

NOV - 4 2016

YELLOWSTONE COUNTY  
PERSONNEL ACTION REPORT

Section 1

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: Cody Reitz Effective Date: 11-23-16

Current Title: \_\_\_\_\_ Gr. E Salary \$ 18 per hr

Title Change: Asst Box office Mgr Gr. \_\_\_\_\_ Salary \$ \_\_\_\_\_

5% increase  
after 6mo  
Probationary  
Period

Check as Applicable:

Regular Full Time:    
Regular Part Time:

New Hire:

Temp Full Time:    
Temp Part Time:

Rehire:

Seasonal Hire:

Termination:

Replaces position    
Name Patti Bangert   
New Budgeted Position

Promotion:

Transfer:

Demotion:

Other:

Reclassification:

Funding: 5810 - 556 - 460442 - 111 Percent 100 New Account    
Percent \_\_\_\_\_ Split Account

Sue DeWitt   
Elected Official/Department Head

11/2/16   
Date

Section 2

Human Resources:

Finance:

Note: R+S Followed CV

Note: \_\_\_\_\_

Stignis 11-4-16   
Director Date

Ken Bys 11/4/16   
Director Date

H.R. Comments:

Commissioner's Action   
Approve Disapprove

\_\_\_\_\_  
\_\_\_\_\_

Chair \_\_\_\_\_

Date entered in payroll \_\_\_\_\_

Member [Signature] \_\_\_\_\_

Clerk & Recorder - original

Human Resources - canary

Auditor - pink

Department - goldenrod

Member \_\_\_\_\_





*[Signature]*  
NOV 1 2016

**YELLOWSTONE COUNTY  
PERSONNEL ACTION REPORT**

**Section 1**

Section 1 is to be completed by the initiating department for recommended personnel changes

Name: CUNNINGHAM, KEVIN Effective Date: 11 | 1 | 2016  
Current Title: SERGEANT | SHIFT DIFF Gr.      Salary \$ 32.65 | HR  
Title Change: LIEUTENANT Gr.      Salary \$ 34.91 | HR

**Check as Applicable:**

Regular Full Time: XX New Hire:       
Regular Part Time:      Rehire:       
Temp Full Time:      Termination:       
Temp Part Time:      Promotion: XX  
Seasonal Hire:      Transfer:       
Replaces position Name FEHR New Budgeted Position      Demotion:       
Other:      Reclassification:     

Funding: 2300 - 132 - 420150 - 111 Percent 100 New Account       
Percent      Split Account     

*[Signature]* 11 | 1 | 2016  
Elected Official/Department Head Date

**Section 2**

Human Resources: \_\_\_\_\_ Finance: \_\_\_\_\_  
Note: \_\_\_\_\_ Note: \_\_\_\_\_  
*[Signature]* 11/1/16  
Director Date Director Date

H.R. Comments: \_\_\_\_\_ Commissioner's Action  
Approve Disapprove  
Chair *[Signature]* \_\_\_\_\_  
Member *[Signature]* \_\_\_\_\_  
Member \_\_\_\_\_

Date entered in payroll \_\_\_\_\_  
Clerk & Recorder - original  
Human Resources - canary  
Auditor - pink  
Department - goldenrod

**B.O.C.C. Regular**

Agenda Item 1.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

October 16th to October 31st Payroll Audit

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

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**Attachments**

Payroll Audit

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# Yellowstone County



**Debby Hernandez**  
County Auditor

P.O. Box 35014  
Billings, MT 59107-5014

Phone (406) 256-2720  
Fax (406) 254-7929  
Email: [dhernandez@co.yellowstone.mt.gov](mailto:dhernandez@co.yellowstone.mt.gov)

Yellowstone County Commissioners  
RECEIVED

Date: November 3, 2016

To: Board of County Commissioners  
Yellowstone County

From: Debby Hernandez  
Yellowstone County Auditor

Re: October 16<sup>th</sup> to October 31<sup>st</sup> Payroll Audit

The Auditor's Office reviewed the October 16<sup>th</sup> to October 31<sup>st</sup> Payroll and attached are the questions/findings for that period.

NOV - 3 2016  
*[Handwritten signature]*

*This audit would not necessarily disclose all matters in the internal control structure that might be a material weakness. A material weakness is a condition, which would allow errors, or significant irregularities to occur that would not be detected by employees in a timely period in the normal course of performing their assigned functions.*

cc: Human Resources Department



**B.O.C.C. Regular**

Agenda Item 2. a.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

---

**TOPIC:**

**Board Minutes** - BUFSA, Laurel Fire District #5, Yellowstone Conservation District, Yellowstone Historic Preservation Board, Mental Health Center, Youth Services Center, Tax Appeal Board, County Water District

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

---

**Attachments**

BUFSA

Laurel Fire District

Conservation District

Historic Preservation Board

Mental Health Board

YSC

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BUFSA Minutes  
Monday, October 17, 2016  
2825 3<sup>rd</sup> Ave North, Billings, MT 59101, First Floor Meeting Room

Members Present: Alan S. Miller, Ben McKee, Tracy L. Livingston, Larry Carpenter

Members Absent: Marc Osborn

Others Present: None

- I. Call to Order – 10:05 a.m. – A quorum was present.
- II. Review of Minutes from 9/19/16 – Approved.
- III. Old Business
  - a. Revenues
    - i. “Agreement for Fire Services” mandates proportional increases in revenue based on cost to provide services.
      1. Ben will contact Paul Dextras and Brad Shoemaker on previous increases in BUFSA costs and increases in revenue/charges.
  - b. Lone Eagle Expansion
    - i. Airport fire station – Can it be expanded to include BFD equipment/personnel?
      1. Ben will contact Mike Glancy regarding this question.
- IV. New Business
  - a. Taxes being “written off” on 2 parks (i.e. not paying BUFSA?)
    - i. Tracy will gather more information.
  - b. “Red areas” on BUFSA map
    - i. Tabled.
  - c. Other Fire Service Areas’ fees and revenues
    - i. Alan will research this information.
  - d. Every third Monday of each month to be BUFSA normal meeting – Approved unanimously by vote.
    - i. Alan as Chair will continue preparing agendas and sending out public notices.
    - ii. Ben as Secretary-Treasurer will begin sending previous meetings’ minutes out to board members three days before each meeting.
- V. Next Meeting
  - a. Special Meeting of BUFSA board will be held on 10/31/16 to prepare for BUFSA Expansion Meeting on 11/7/16.
    - i. Alan will invite county/city officials.
- VI. Public Comment Period – N/A
- VII. Adjournment – 11:43 a.m.

## Laurel Fire District #5 Minutes

### Annual Meeting 2016

Meeting was called to order on October 3, 2016 at 7:07 PM. The meeting was held in the Laurel City Council Chambers.

Board members present:

President Bill Strauch, Vice President Sam Robertus, Levi Grosscop, Rob Schessler and Secretary/Treasurer Jon Rutt.

No other attendees came. It was noted the Laurel Outlook posted the ad on September 15, 22<sup>nd</sup>, and 29<sup>th</sup>.

- Minutes of the 2015 Annual Meeting were read and approved as read. Rob 1<sup>st</sup>, Sam 2<sup>nd</sup>
- Treasurer's report was read.

Account Balance August 31, 2016 was \$17,705.85.

Only bill due was for the Laurel Outlook Meeting Posting and was not received yet. (Note that bill was \$80.25), Outlook bill was approved if comparable to last year.

- Treasurer's report was approved as read. Sam 1<sup>st</sup>, Rob 2<sup>nd</sup>

### Old Business

Discussion on the requirement to file meeting minutes with County Commissioners was considered good. The listing of property owners was more accurate this year.

### New Business

Discussion of the taxable valuation and changes in the last year.

Request was made to copy all board members when ready to file meeting minutes.

Letter from October 2015 informing the Fire District of the ability of Rural Fire districts merging with Fire Service areas was discussed and the consensus was it was to be watched, but not pursued.

Discussion of the on-line filing of the Annual Financial reports and how that was done to inform the board.

Most of the board received a solicitation to the MT Fire Trustees Association Convention and we discussed membership and decided it offered few benefits for us.

The timing of the annual meeting was discussed and the consensus seemed to be the September/October time was good. This was attributed to our 3 year contract with the city and the notice of mill value/budget request being in August. Closing the year now and calling a Trustees meeting prior to contract signing in May/June would keep us up to date.

Research will need to be done to see if we need to change bylaws and consider any other reasons to meet.

Nothing for the good of the company.

Meeting adjourned at 7:44 PM.

# YELLOWSTONE CONSERVATION DISTRICT

1371 Rimtop Drive, Billings MT 59105-1978

phone: (406) 247-4420 fax: (406) 247-4416

## YELLOWSTONE CONSERVATION DISTRICT REGULAR BOARD OCTOBER MEETING MINUTES

October 7, 2016

8:00 AM

DEQ Conference Room  
1371 Rimtop Drive, Billings, MT

**BOARD MEMBERS PRESENT:** Chad Sedgwick, Chair; Bob Hector, John Pulasky, Stacey Robinson, Jerry Williams

**BOARD MEMBERS ABSENT:** Clint Peck, Vice-Chair; Clint McFarland, Treasurer

**NON-BOARD PRESENT:** LaVerne Ivie, YCD Administrator; Darin Swenson, Yellowstone Co. Floodplain  
310 applicants and/or agents: Brian Alexander, Sanderson-Stewart Engineering firm  
Others: Brandy Gray, Notary

**Chair Sedgwick called meeting to order at 8:07 AM.**

### **ROLE CALL**

- Chair Sedgwick informed attendees: All issues will be addressed to the Vice-Chair; public comments are always welcome, but ask that you wait until the issue is addressed on the agenda, and ask to be recognized by the chair and then limit comments to 3 minutes; no action will be taken on any item not on the Agenda. Attendees introduced themselves.

**AGENDA CHANGES:** None

**PUBLIC COMMENTS:** None

**MINUTES:** Hector made a motion to accept the September 14, 2016 regular Board Meeting Minutes as printed, second by Williams, motion passed.

**YCD AREA 4 SUPERVISOR VACANCY:** One application was received to fill the Area 4 Supervisor vacancy. The applicant, Stacey Robinson was present and provided a brief overview of his qualifications and interest in sitting on the YCD board.

**Board decision:** Hector made a motion to accept Robinson's application and appoint him to the Yellowstone Conservation District Board of Supervisors effective immediately until the term expires Dec. 31, 2018. Second to the motion by Williams, motion passed unanimously.

- Brandy Gray, Notary for the State of Montana administered the Oath of Office to Robinson.

### **AGENDA**

#### **310's**

- **YE-11-17 – C/J Land and Livestock, LP, Yellowstone River** – 5 yr. maintenance permit #YE-16-15 amendment request. Justification for the modification as written: "It is anticipated that under low water flow conditions it may become necessary to dredge and or excavate a minimal amount of material directly under the pump screen at the mobile irrigation pump ramp site as shown on sheet 3 of our original application. This would only be performed as necessary to provide water around our pump screen to maintain water flow to irrigate crops." **Board discussion and decision:** This is a straightforward request that should have been included by the engineering firm in the original application and by adding this verbiage, the landowner will be covered in drought conditions. Pulasky made a motion to accept amendment to the 5 yr. maintenance plan and move the 5 yr. maintenance plan expiration date to Oct. 7, 2021, second by Hector, motion passed with Williams abstaining.

- **YE-10-17 – Alexander Investment Advisors, Hogan’s Slough** management of storm water runoff as it enters the water body. Brian Alexander, Sanderson Stewart engineer provided an overview of the project details: Professional park area where runoff will drain to a proposed infiltration basin where excess runoff is designed to discharge into the Hogan Slough via a new pipe with flared end section situated above the bank of stream. Riprap will be used to armor the outfall structure and will encroach to the bank of the stream in order to prevent potential bank erosion. **Board discussion and decision:** This project is the same design/method as other storm water runoff projects that the YCD board approved in this business subdivision and submitted by Sanderson Stewart on Hogan’s Slough. Ken Frazer, FWP reviewed the application and determined an on-site inspection is not necessary citing the plan is the same as adjacent site projects we have visited. Williams made a motion to accept the project as proposed and issue a 310 permit, second by Hector, motion passed with Robinson abstaining.

### Other 310 issues & Projects

- Yellowstone River CD Council Report – Hector reported:
  - Next Council meeting will be held in Billings Oct. 21, 2016
  - Hector and Sedgwick attended the Exxon oil spill \$12.1 million settlement news conference. Hector gave an overview of how the funding might pertain to YRCDC and YCD. Ivie reported that DOJ would like to present the settlement plan at a future YCD board meeting. The Board told Ivie to invite them to the January board meeting,

### AGENCY VERBAL REPORTS

- **Administrator’s Report** – provided to board members prior to today’s meeting outlining workload accomplished since the last board meeting. No questions or requests for clarification of items was received from board members.
- **Army Corps of Engineers** – Unable to attend today’s meeting.
- **Beartooth RC&D** – Pulasky reported the next meeting will be held in November at Big Timber
- **DNRC, State Lands** – Jeff Bollman unable to attend today’s board meeting
- **Fish Wildlife and Parks** – Ken Frazer unable to attend today’s board meeting
- **USDA NRCS** – Phil Sandoval unable to attend today’s board meeting
- **Yellowstone County:**
  - **Billings/Yellowstone County Planning Board and City of Laurel Planning Board**
    - Billings – McFarland unable to attend today’s board meeting
    - Laurel – Peck unable to attend today’s board meeting
  - **Yellowstone County Extension** – Steve Lackman emailed the following report: The current rain has put most agricultural operations on hold. We have been fortunate to pick up some fall moisture to add some length to the grazing season and help prepare dryland farming for fall planting. The beet growers are wishing the moisture would stop temporarily to allow sugar beet harvest to continue. Currently, depressed grain and cattle prices are forcing producers to carefully watch their bottom line. A few winter wheat producers are looking at alternative crops that will give them a larger profit margin.
  - **Yellowstone County Floodplain** – Darin Swenson reported that the old Corrette Plant prospective buyers and the Lockwood TED District want to build up the floodplain with fill to get it out of the floodplain. Potential customer of the Corrette Plant wants to store product that currently cannot be stored in floodplain. Swenson will report to YCD on future decisions.
  - **Yellowstone County Weed Department** – Joe Lockwood unable to attend today’s meeting

### BUSINESS MEETING

- **Old Business**
  - **West High School Garden Vandalism** – West High science teacher Gayle Lam, Hector, Robinson and Ivie met on school grounds to discuss possible scenarios for collaboration on rebuilding the site. Lam stated that as of now the school has not decided whether to rebuild, re-purpose, or remove the fence around the area. Robinson offered to meet with West High principal, Lam and others to discuss possibilities not only about the garden site but also landscaping the entire campus to make it more student friendly. Hector suggested Robinson be the point person for the project to which he agreed to be.
    - Side note: Hector mentioned that while talking to Lam, she stated that Monarch Butterflies are not in this area of the US. There are butterflies here that are sometimes categorized as Monarch’s but in actuality are not.

#### **Yellowstone River Water Reservation**

- **Application – Sheila Stovall, Razer Creek** – This application is on hold until the land sale is final in January.
- **Supervisor Training** – A Water Reservation refresher training course will be offered to all CD’s that administer water reservations. Ivie is to set up the training for a day in early December (dependent upon presenter schedules) at the Yellowstone Valley Electric Coop building in Huntley.

- **Yellowstone Ranger District Custer Gallatin National Forest directive –**

**Last Month:** Peck provided a memo that he received from concerned landowners that the Ranger posted on the Public Land/Water Access Association, INC's Facebook page. An excerpt from the memo states to 'NEVER ask permission to access the national Forest Service through a traditional route shown on our maps EVEN if that route crosses private land.' The directive refers to routes on private lands trying to be called public access and is only on disputed access routes. **Board discussion and decision:** What can YCD do from a CD mandate? CD's are historically the landowner advocate between agencies and landowners. Letter needs to be sent outlining concerns expressed at today's board meeting, referencing the memo to PLWA, which include: overreach of authority, request a response fully explaining where and how this directive came about, ask for someone to attend a future YCD board meeting, it appears to the YCD board that encouragement is given to people to break the law, send letter to author of directive, his supervisor, his supervisor's supervisor, Gov. Bullock. Peck made a motion to write a response letter, outline YCD concerns and send to above mentioned recipients, second by Sedgwick, motion passed. Ivie is to contact Sweet Grass CD and inquire whether they are aware of the directive and if so, what steps are they taking.

**This month:** Sweet Grass CD was provided the memo and planned to discuss at their Oct. board meeting. Writing a letter from just YCD might be a bit premature, may need to hold off and inquire with other CD's whether their boards have taken action. **Board decision:** Pulasky made a motion to retract motion from last month to write a letter and wait until YCD hears back from other CD's, second by Williams, motion passed.

- **Songbird Community Garden –** DNRC \$500 mini-grant was reviewed and signed by Chair Sedgwick to help fund construction of raised wooden garden plots.
- **ZooMontana –** Hector reported that he viewed the finished signs for the willow lift project on Canyon Creek at ZooMontana that YCD received a 223 grant to help with construction. The signs have great information including history of the project, project construction, and other pertinent information – all done very professionally.

- **New Business**

- **Legislator meet 'n greet –** Board discussed YCD hosting an event after election to 1) meet the Legislators; 2) provide an overview of concerns; 3) ask for support in conservation resource areas. Hector suggested having a 'hook' to get them to attend – possible topic could be the \$12.1m Exxon oil spill money. Board will think about topics and finalize an invitation at the 11/9/16 board meeting. Ray Beck will be asked to MC the event and Peck will be asked to host at Yellowstone Winery.

- **Treasurer's Report:** Williams made a motion to accept the September Treasurer's report as submitted, second by Pulasky, motion passed.

- **Board Member Meeting Absences:** Peck is away on business; McFarland has the flu. Hector made a motion to accept both absences, second by Williams, motion passed.

- **Travel and/or Meetings:**

- Ivie will represent YCD at the MT Watershed Symposium to be held in Billings Oct. 24~26<sup>th</sup>. She was responsible for planning and implementing Monday evening's social event at the Western Heritage Center. All Board members were encouraged to attend.

- **Standing Committees**

- **Living Snow Fence/Hanser memorial area –** Sedgwick will repair the fence this spring.
- **NILE –** 4<sup>th</sup> grade AG-Education program will take place Oct. 17~19<sup>th</sup>. Everything is on track to make it a great event. The three (3) stream tables scheduled presenters are from DNRC, Bureau of Mines and Geology, YCD Supervisors, MSU and RMC College's environmental education students, and Administrators from Rosebud CD, Stillwater CD and Carbon CD.
  - NRCS's Soil Tunnel will be utilized for the first time as one of the stations the 4<sup>th</sup> grade students will visit. Sedgwick will help set it up Monday morning.
- **Area 4 Meeting Report –** Sedgwick, Williams, Hector and Ivie reported on the September 23<sup>rd</sup> meeting hosted by Rosebud CD in Forsyth. Rosebud CD put together a good meeting but YCD attendees were disappointed in MACD's portion of the meeting. Once again, no detailed Treasurer's Report was provided, MACD representatives were not open to suggestions or questions raised by meeting attendees.
- **MACD –** Board members received all correspondence pertaining to MACD prior to today's meeting.

YCD will not be attending the MACD State Convention Nov. 15~18<sup>th</sup> in Sidney, MT. Williams made a motion for YCD to send a letter to all Montana CD's explaining why YCD will not be in attendance and why YCD will not be paying dues. Reasons include: no detailed T-Report; no dues committee set up as promised by MACD to revamp the dues structure; By-Law changes suggested by Cascade CD will not be addressed and even if they are the Executive committee has power to veto; status of the MACD building loan. Second to the motion by Pulasky, motion passed.

➤ **UNSCHEDULED MATTERS**

-- Hector reported on a new invasive species that he just found out about – poly micro-beads in women's makeup and facial care products. It's causing significant problems with fish as it enter rivers and streams because it does not break down as it goes through the city systems. Other states are making laws and Hector wonders if Montana has addressed the concern. Robinson said that he is a bit familiar with the topic and cautioned reacting to reporting of the outbreak. He knows firsthand that at least one product they say has poly micro-beads does not. FWP will be consulted.

➤ **BOARD RESIGNATION:** Pulasky informed the board that he will not seek reelection when his term is up December 31, 2016. He cited health and job commitments as reasons for making it necessary to resign.

➤ **PUBLIC COMMENTS -** None

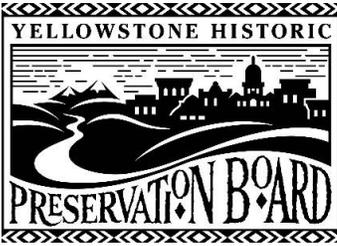
➤ **Next YCD Board Meeting** – November 9, 2016

➤ **Chair Sedgwick adjourned the YCD monthly board meeting at 11:35 a.m.**

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**Chad Sedgwick, Chairman**

**LaVerne Ivie, YCD Administrator**



***Yellowstone Historic Preservation Board***  
*A Certified Local Government (CLG)*  
*Program representing four governing bodies:*

*City of Billings*  
*City of Laurel*

*Yellowstone County*  
*Crow Tribe*

**MEETING MINUTES**  
**September 20, 2016**  
**First Floor Conference Room**  
**2825 3rd Avenue North**

**Members Present** – Ed Saunders, Tracy Livingston, Kevin Nelson, Sue Mueller and Judy Goldsby

**Members Absent** – Nancy Curriden, Blain Fandrich and Allen Rapacz

**Staff Present** – Elisabeth DeGrenier, Kevin Kooistra and Lora Mattox

**Others Present** – Dina Harmon, Community Development Division

**Minutes** - The minutes of the August meeting were approved with a correction on a motion by Ed, seconded by Sue. Approved.

**Public Comment** – None.

**CDBG Rehab – 105 Jefferson Street** – This property is selected to receive Community Development Block Grant funds to replace the basement windows, install egress windows in the basement and repair/replace soffit and fascia and paint. After review Kevin motions to approve the property for CDBG funding as the property is not eligible for the National Register, Tracy seconds. Approved.

**Consultant's Report –**

North Elevation Historic District Update

Kevin and Elisabeth will meet with the Montana State Review Board on Wednesday, September 21, 2016 for final review of the North Elevation Historic District nomination in Hamilton, MT. We are preparing a short PowerPoint presentation and reviewing the final narrative and historic property record forms.

Southside Gardner's Market Walking Tour

On Thursday, August 25<sup>th</sup>, Kevin took approximately 15 people for a short history walk around South Park as part of the Riverstone Health Gardner's Market Active Transportation Day, the walk was organized by Lora Mattox.

National Register of Historic Places Historian

As part of the celebration of the 1966 National Historic Preservation Act (and the National Register of Historic Places), Paul Lusignan, the National Register GateKeeper and Historian, will give a presentation at the Western Heritage Center on the Wednesday evening, October 19<sup>th</sup> at 6:00 p.m. This is being organized by John Boughton and Kate Hampton of the Montana State Historic Preservation Office.

## HUD Properties

Reviewed 105 Jefferson Street

## Presentations

Board member Ed Saunders will be presenting a program on the Yellowstone National Veteran's Cemetery at the Western Heritage Center at noon, October 13<sup>th</sup>.

**Historic Preservation Officer Report** – Lora reported that she will also be attending the State Review Board meeting tomorrow on the North Elevation District nomination and then proceeding to the Montana History Conference the rest of the week.

**Board Roundtable** – Judy informed the board that she literally just flew in from the East Coast from visiting her daughter. Her daughter owns a 1700's farm house in Connecticut that Judy has been helping to restore. While there she also did some sight-seeing including visiting Mystic Connecticut and the last Whaling Ship. Tracy talked about her recent trip to Zortman, MT. She toured many of the fascinating cemeteries and Elk Preserve. Ed is continuing to transcribe the records of the 167 women of WWI. Kevin Nelson talked about his trip to Gettysburg with his son and father, the also toured the Holocaust Museum. Kevin Kooistra mentioned the Raising Our Spirits event coming up at the Western Heritage Center on October 29<sup>th</sup>. Also, the Yellowstone Kelly exhibit is open and will be at the Center for 3 months

The next meeting will be held on October 18, 2016 at 8:30 a.m.

Meeting adjourned.

MENTAL HEALTH CENTER  
Minutes of the Board of Directors' Meeting  
Friday, October 7, 2016

The regular meeting of the Governing Board of Directors of the Mental Health Center was called to order at 11:00 a.m. at the Billings Mental Health Center Administration Building, 2501 4<sup>th</sup> Ave. N., by Carl Seilstad (Fergus County). Other Board members present were: Jim Reno (Yellowstone County), George Real Bird (Big Horn County), John Grewell (Carbon County), Jim Moore (Judith Basin County), Gerald Dell (Stillwater County), Susan Mosness (Sweet Grass County), Tom Bennett (Wheatland County), Bill Kennedy (Member at Large), and Dee Holley (Member at Large). Board members absent: Jo Shipman (Member at Large), Bob Lehfeldt (Golden Valley County), Bryan Adolph (Musselshell County), Chris King (Petroleum County), Dr. Carla Cobb (Member at Large), and Jani McCall (Member at Large). Staff members present were: Barb Mettler Executive Director, Carl Eby, Associate Director; Jennifer Donovan, Human Resource Director; Alisha Belmontez Finance Director; and Kitti Hicks-Strong, Support Team Coordinator.

The meeting was called to order at 11:00 a.m. by Carl Seilstad.

The agenda for the October 7, 2016 meeting was approved unanimously, Tom Bennett moved; Bill Kennedy seconded.

The Minutes for the August 26, 2016 meeting were approved unanimously. John Grewell moved; Bill Kennedy seconded.

Executive Director's Report: Barb reported that the Medical department has begun using the voice recognition equipment. The staff in the medical department are very optimistic about the voice recognition equipment. It has been going very well. With this in place we will be able to bill a lot quicker and more regular. We may look at expanding the voice recognition to other departments in the future. \*We had a reduction in force in the Targeted Case Manager department and the Chemical Dependency department. In the Targeted Case Management department we laid off three employees; two part-time employees resigned and one full-time employee had already resigned. In the Chemical Dependency department we laid off three part-time employees. They were each given a 30 day notice. We should not see a reduction in billable hours as their caseloads have been absorbed by the other staff. The Mental Health Center's annual savings will be \$81,750.00 in the Targeted Case Management department and \$91,067.00 in the Chemical Dependency department. \*The Targeted Case Management department will be sending an employee to a daily meeting at the Billings Clinic to determine if a discharged patient from Billings Clinic Psychiatric Center is appropriate for our programs. This Case Manager will be instrumental in getting that person enrolled with the Mental Health Center. When the new emergency room is complete they will be able to keep a patient for twenty-three hours and if appropriate, they will call and refer to us. Dr. Whitworth, Carl Eby, Susan MacIntyre, and Lisa Wetzler will determine if the patient is appropriate for our programs. Barb hopes to collaborate with Billings Clinic and our Chemical Dependency department as well as our satellite locations in the future. \*Increasing the PACT Team was discussed. We are able to increase the PACT Team as long as we keep to the fidelity of the program. The plan is to increase the clients to 100 without any staff increase. Once we have 100 clients we would begin increasing staff. We would like to increase PACT clients to 120 and then split the PACT staff into two separate teams. Barb stated that PACT is our niche, there are only two other PACT teams in the state. \*Assessing individuals when they are arrested or taken to the emergency room could bring in more referrals to the Mental Health Center. The jail contract was also discussed briefly. \*Barb reported meeting with Riverstone. They want to work with us and are interested in consultation time with our doctor. \*We have contacted a recruiter for a Psychiatrist. He charges a 9,500.00 recruiting fee which will be reimbursed if we are unable to hire a psychiatrist. Carl Eby spoke with Bill Snell from the Rocky Mountain Tribal Leader Council who is going to Denver for fundraising. Carl wrote a letter requesting the \$9,500.00 recruiter fee. Bill Snell agreed to request that money for us. Carl has not heard back on this but will continue to meet and collaborate with RMTLC as we need to continue to get referrals from them. \*Tom Bennett wondered if anyone had contacted the Huteritte colonies as they are Medicaid. Tom felt if we send someone to the colony to make contact they may approach us for services. \*Currently in Lewistown we have no Outpatient therapist, we have a Case Manager, Licensed Addiction Counselor, and a secretary. Using Tele med equipment to do Outpatient assessments in Lewistown was discussed. \*Dee Holley asked about the VA contract. Barb reported that she has sent additional paperwork and hopes to have a contract the end of November. Yellowstone County voted and approved our payment of \$124,000. We did not get the ESAA grant that we had applied for to pay for a new scale in the Medical department. We will try again. \*Carl Seilstad asked about becoming an Accredited Qualified Community Mental Health Center. Barb said

we need state approval and she didn't feel they would approve due to the increase in rates they would have to pay us. If we did get approved by the state we would move forward and we would then need to look at increasing our staff.

Finance Director's Report: Alisha handed out the financial information for the Mental Health Center. The Roundup office is doing very well. The therapist is keeping very busy there. The numbers for Outpatient in Red Lodge are down. Targeted Case Managers and the Chemical Dependency departments are working at adjusting to the staff changes that were made. The Medical department is looking better with the transcription getting caught up. The Mental Health Center's bad debt and charity care were discussed. Carl Seilstad reported that Yellowstone County Commissioners approved to give us \$127,500. Currently we do not have a full-time employee to facilitate fundraising activities. Previously, when we had that position filled, the money that was made was used to pay for the salary. Bill Kennedy felt it important to get \$20,000 to be used for a full-time development position. Alisha reported that the Auditors will be at our next meeting to report their findings.

Human Resources Director's Report: Jennifer Donovan reported that the lay-offs in the Chemical Dependency department were difficult. The employees had been here for twenty years. One employee wants to come back and volunteer for us. With the increases in the PACT department we will need to recruit for another Case Manager and Licensed Addiction Counselor in the future. The National Health Service Loan Repayment is requiring more documentation. They also need documentation as to where we make referrals for dental and medical needs. Jennifer is working on getting a memo of understanding signed with the facilities we refer to. The Fair Labor Standards Act – if it is passed will really impact us, especially in the PACT department. Insurance premiums are increasing again. Discussion was held on the insurance offered to Mental Health Center employees.

Continuing and New Business:

Development Committee: Dee Holley reported that the Newsletter was sent to the printers today. She interviewed Shalom Waltenbaugh from the Group Home for the newsletter. She feels it is very important to have interviews from employees included in the newsletter. She met with Pam Sanderson at United Way regarding our strategic plan. Pam is willing to help us facilitate that. Pam felt we should focus on a one year short-term plan first then get a 3 – 5 year strategic plan in place. Pam is willing to help us for no charge and could meet with us on Friday, 10/28 from 10:00 a.m. – 3:00 p.m. Discussion was held on the strategic planning process. It was decided to look at fundraising, satellite offices, and the programs we offer. We will focus on a short-term plan now and look at a long-term plan at a later date.

Personnel Committee: This committee will meet after the strategic plan meeting.

Strategic Planning: We will meet on Friday, 10/28 from 10:00 a.m. – 3:00 p.m.

Finance Committee: The finance committee discussed the reduction in force that was implemented in the Chemical Dependency department and Targeted Case Managers department. We are putting plans in place for the overtime regulations changes that could be put into law. The use of Time Clocks was discussed. Alisha will look into this and report back at our next meeting.

Advisory Board: Nothing new to report.

ESAA: Currently, some very active board members have left and it has been difficult to recruit for more board members. Bill Kennedy wondered if the money that is currently going to ESAA could go back to the communities.

Other: Bill Kennedy reported an individual who lived by the group home has a complaint about our trees. Barb will look into it.

Jani McCall has submitted her resignation. Gerald Dell moved to accept Jani McCall's resignation and John Grewell seconded. The Motion passed unanimously. Discussion was held on what to do with the open spot on the Board. It was decided to wait before filling that spot at this time.

Discussion was held as to when we should have our annual meeting. It was discussed moving the annual meeting to January after the elections. Tom Bennett moved to move our annual meeting to January. John Grewell seconded. The Motion passes unanimously.

Set next meeting date: The next meeting will be Friday, November 18, 2016 at 10:00 a.m.

Adjournment: There being no further business, Carl Seilstad, Board Chair, adjourned the Governing Board meeting at 1:05 p.m.

Submitted by:  
Kitti Hicks-Strong, Clinical Support Coordinator

Jo Shipman, Governing Board Secretary

YOUTH SERVICES CENTER

ADVISORY BOARD OF DIRECTORS MEETING

October 11, 2016

**PRESENT:** Mike Boyett, Ted Lechner, Johnnie McClusky, Tiffani Sherman, Joe Rich, Bernadette Blaylock, Kevin Evans, Julie Hecker

**EX-OFFICIO PRESENT:** Val Weber, Jim Reno, Robyn Driscoll,

**MEMBERS EXCUSED:** Dave Krueger, Jeremy House

The meeting was called to order at 12:05 pm by Chair, Mike Boyett  
The August minutes were approved as written

Jim Reno introduced the new county commissioner, Robyn Driscoll. She will be serving the rest of Bill Kennedy's term. Robyn previously worked with Jim Reno for about 8 months in adult education before he left to work with the County Commission. She ran for the state legislature, served in the House for 8 years (4 terms), and went on to serve one term in the Senate. She was running again when the opportunity arose to work as a County Commissioner. Her choice ultimately came down to the opportunity to do public service full time, rather than every other year or on a part-time basis during the interim. She looks forward to working with Jim and John and looks forward to serving on our board.

Val had board members introduce themselves.

**OLD BUSINESS:**

Census Report:

The census has increased again, causing us to have to add more staff. We need to increase staff when the census hits 18, or at 17 if we have youth on suicide precautions. We are actively recruiting fill-ins. We posted a full-time position and received only 3 applications; all were vastly inexperienced. We ended up re-opening the position. In the meantime, we hired one of them to work as a fill-in and he may be hired full-time at a later date. Unemployment is low in Billings, making recruitment difficult. We require a clean driving record and background checks. Val is looking at paid internships through college. She has not typically been in favor of paid internships, but she may be able to structure this as a recruitment tool. Out of our 37 employees, 7 started out as interns. MSUB used to heavily emphasize internships in their human resources program, but not so much anymore. She is also working on recruiting out of Rocky's psychology department. We have trouble moving our temp, part-time people into full-time positions. Most of our current fill-ins are happy working part-time. Julie suggested posting in Missoula and Bozeman. Val thought this may be a good idea, since kids come home over their breaks. The application process is fairly cumbersome. By the time someone gets through the process, the applicant has already found other employment.

We have one long term youth who is waiting to age out or go to trial. The vast majority of Yellowstone County youth are in/out within a day or two. Jim asked about DOC putting adults with minors. When Yellowstone County built their jail, they were originally looking at putting adults and youth together. Val said you can co-locate a facility with youth/adult, but everything must be kept separate. Riverside has shut down their youth facility. There is no longer a facility for girls in Montana. Girls now are shipped out of state. Riverside was thinking of doing a youthful offender program, however, their whole structure has changed. They now have some female inmates in their 60's. They are calling it a Trauma Informed Care Unit, but it is not for youthful offenders.

#### Delay Garden Security:

Val has postponed the security until winter to accommodate Kenco's schedule. She is working on getting WI-FI set up in the conference room.

#### **NEW BUSINESS:**

##### Holiday Season Plans:

Moss mansion's theme this year is hand-made toys. Staff and youth are making wood toys and painting them. Val reminded members that the second Tuesday in December is the annual board meeting with the kids. They will again be making lunch for the board members. Last year, we made blankets for a military unit overseas. This year, Val got a request from Road Dog Harley asking if we could find Harley fleece and put together a basket of tie-dyed blankets made by the kids to go into their silent auction for the sleigh ride.

##### MBI Presentation:

Val introduced Hank and Betty, our educational team at YSC. YSC is basically the secure facility in the State for piloting MBI in the schools. MBI is a program that is enacted in the classroom and then spreads throughout the facility. Hank shared some handouts explaining what MBI is, as well as the Multi-Tiered System of Support (MTSS). Most kids in the regular school setting are Tier I kids. We work with all multi-teared kids, but mostly Tier 2 and occasionally Tier 3. That requires the educational team be able to provide individualized programs to accommodate each youth's educational level. Hank and Betty have chosen the theme "AIM", taken from the archery program. AIM stands for 1) Achieve goals, 2) be Independent, and 3) Make good choices. The philosophy is "on target for life". Each category has special goals. They are still working on the detention program to implement school policy, but have the outline for ACC completed. The SD matrix will be different from ACC due to the secure setting and movement restrictions. Board members asked about any successes they have experienced. They shared the experience of one youth who had not been in school since 2<sup>nd</sup> grade. At 17 years old, they were able to get him somewhat invested in school and helped him to achieve some reading ability and life skills. They are working on a data tracking program to track successes. They have some input from a consultant at OPI, helping them figure out how to track and what would be the most useful information to have.

Val asked them to explain how their training has helped them change their approach with kids. They explained how they were rephrasing communication by removing negative interactions and replacing them with positive direction. Part of the program is for them to track

themselves, rephrasing instruction to include four positive ones to each negative. Hank said it has been challenging to change the way they are speaking to youth. Betty added that because Val already encourages staff to be respectful of the youth, they have already been trained to approach kids respectfully. They are rewriting their rules to reinforce the positive, for example, “ don’t lean back in your chair” becomes “sit appropriately”, and “don’t talk between tables” translates to “talk at your own table only”. Susan Bailey Anderson started MBI 20 years ago and has been supportive of our involvement. Val has spent some of her budget on travel to allow Hank and Betty to attend Community of Practice training, and it has really helped them connect with OPI and other facilities. They will be making posters to hang in various parts of the facility to remind kids to AIM high and use the skills. The educational reimbursement we receive does not take effect until the 10<sup>th</sup> day a youth is in detention, even though we provide education upon intake. We are hoping that we will see a change so we can have reimbursement upon intake. We can end up providing multiple days of education without reimbursement when a youth is detained under 10 days or has multiple stays, all under the time period. Denise Juneau has been helpful in recognizing that youth are being educated in facilities other than public schools.

Hank gave an update on the Archery program and how it provides confidence, achievement, participation, teamwork, and self-esteem. It is also integrated with the therapy program, providing building blocks to other learning. We have the youth such a short time, and they have usually encountered so much failure, that one of Val’s goals is to help kids see that they can experience success in school, to give them a bit of hope, or a path to success.

Hank expressed interest in becoming part of the HISET program. All materials must be purchased however, and it would most likely only be effective with long-term kids. Julie mentioned it was good to see something taking place academically. One goal is to come up with one uniform flow chart so information can be passed from facility to facility easily. This is currently being reviewed in the legal department at OPI. It would be nice to be able to have the youths work and credits follow them, with an easy flow of school charts and tracking of progress.

**ADJOURNMENT:** The meeting adjourned at 12:55 pm

**NEXT MEETING:** The meeting will be changed from November 8<sup>th</sup> to November 9<sup>th</sup> at noon to account for Election Day.

**Respectfully Submitted,**

Sue O’Connor, Administrative Coordinator

**B.O.C.C. Regular**

Agenda Item 2. b.

**Meeting Date:** 11/15/2016

**Title:** Re-submitted Petition to Create Fuego Fire Service Area

**Submitted For:** Jeff Martin, Clerk And Recorder

**Submitted By:** Jeff Martin, Clerk And Recorder

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**TOPIC:**

Re-Submitted Petition to Create Fuego Fire Service Area

**BACKGROUND:**

Original petition lacked the required 30 valid signatures of real property owners within the proposed service area

**RECOMMENDED ACTION:**

File

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**Attachments**

Re-submitted

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# Yellowstone County



**JEFF MARTIN**  
Clerk & Recorder  
P.O. Box 35001  
Billings, MT 59107-5001

Phone (406) 256-2785  
Fax (406) 256-2736  
Email: [jmartin@co.yellowstone.mt.gov](mailto:jmartin@co.yellowstone.mt.gov)

November 10, 2016

Board of County Commissioners  
Yellowstone County

Re: Petition to create the Fuego Fire Service Area.

Yellowstone County received a petition to create the Fuego Fire Service Area. M.C.A. 7-3-2401 states "upon receipt of a petition signed by at least 30 owners of real property in the proposed service area, or by a majority of the owners of real property if there are no more than 30 owners of real property in the proposed service area, the board of county commissioners may establish a fire service area within an unincorporated area not part of a rural fire district in the county to provide the services and equipment set forth in 7-33-2402."

After review, the petition appears to meet the threshold of 30 signatures from owners of real property within the proposed service area.

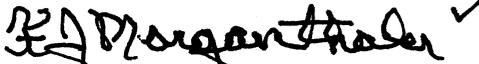
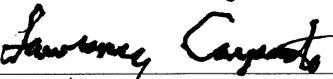
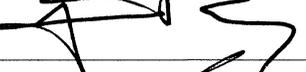
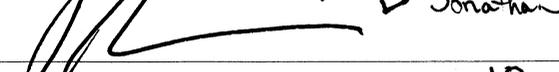
Sincerely,

A handwritten signature in black ink, appearing to read "JEFF MARTIN".

Jeff Martin  
Clerk & Recorder

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
1 	FRED J. MORGENTHAUER	4200 NIGHT HAWK ROAD	C12991
2  4642 Arapaho hwy	Lawrence Carpenter	7730 Highway 3, Astor	3000884
3 	Kirk Johnson	4175 Night Hawk	C13307
4 	Maile Urbaska	3995 Night Hawk	C12861
5 	Katie Cummings	3960 Night Hawk Rd.	C12860
6 	Bradley J. Fern	4056 Night Hawk Rd.	C12993
7 	Patricia Ninichuck	4205 Night Hawk Rd.	C13306
8 	Jim Baker	4285 Lone Eagle Dr.	C13309
9 	Lydia Pugh	5225 Alkali Crk Rd.	D11607
10 	DAVID MILROY	4405 NIGHT HAWK RD	C13304
11 	LEE SCHERER	4715 Rockledge Rd	D04546
12 	Kenneth Aletteras	4315 Lone Eagle Dr.	C12421
13 	Robert Ruble	4938 US Highway 3	D04537
14  Jonathan	Forrest Hughes	4275 Night Hawk Rd	C13305
15  NO	Reese LaVesseur	4045 NIGHT HAWK RD.	C12863

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
Linda S Fink <sup>34</sup>	Linda S Fink	4801 Hwy 3	D04553
<del>Samuel J. Reek</del> ✓	SAMUEL J. REEK	4010 NIGHT HAWK RD Billings, MT 59106	C12862
<del>[Signature]</del> <sup>34</sup>	R SCOTT BROWN	4650 Kestrel Rd Billings, MT 59106	C12181
Greg <sup>5420 merlot</sup>	GREG KOSIAREK	4290 LONE EAGLE DR BILLINGS	C13308
Don C Holzheimer ✓ <sup>2</sup>	DON C Holzheimer	4705 ALKALI CREEK Rd Bldg 59106	C12032
David W. Fandell ✓	David W. Fandell	4250 Night Hawk Road Billings, MT 59106	C12290
MARC R. OSBORN ✓	MARC R. OSBORN	4150 Night hawk Rd	C12992
<del>Gene Sullivan</del> NO	GENE SULLIVAN	4300 ALKALI CRK 59106	C11919
<del>Paul W. Holley</del> NO	Paul W. Holley	4701 Lone Eagle Drive, Billings, MT	D04542
Paul W. Holley ✓ <sup>2</sup>	Paul W. Holley	4490 Lone Eagle Drive, Billings, MT	C12418
Mark Canton ✓ <sup>2</sup>	MARK CANTON	4603 ALKALI CREEK ROAD, Billings, MT 59106	C12033
Jo Swain ✓ <sup>2</sup>	Jo Swain	4325 Lone Eagle Dr. Billings, MT 59106	C14785
Richard F. Cebsu II ✓ <sup>2</sup>	Richard F. Cebsu II	4269 Lone Eagle Dr, Billings, MT 59106	C13303
<del>John R. Gregory</del> ✓ <sup>2</sup>	John R. Gregory	4844 US Highway 3 Billings MT 59106	D04540
Robert N. Hurd ✓ <sup>2</sup>	Robert N. Hurd	5318 Hwy 3 Billings, MT. 59106	D04533

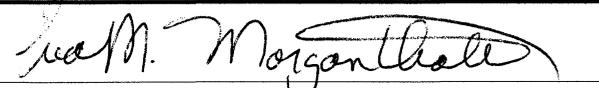
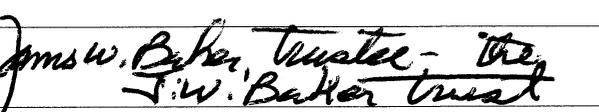
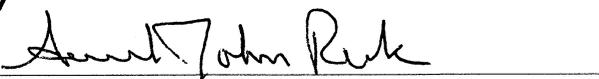
PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

	Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
31	DARLENE & BILL ✓ VANDERLOOS	<del>Darlene</del> Bill Vanderloos	4700 LONE EAGLE DR BILLINGS, MT. 59106	C12780
32	Jeanne Mudge Wisler ✓?	Jeanne Wisler ✓	3216 Alkali Cr. Rd Billings, MT 59105	D04531A
33	Chris Eredding ✓?	Christine Eredding	4770 Rockledge Rd Billings, MT 59106	D04545
34	Janet T Haynes ✓?	JONATHAN T HAYNES	5035 ALKALI CR RD B. Billings MT 59106	D11609
35	Bill Cebull	Brian R. Cebull	4690 Rockledge Rd. Billings, MT 59106	D04547
36	Robert Nance ✓	ROBERT NANCE	5033 Highway 3 Billings MT 59106	D04548
37	James Alexander ✓	James Alexander	4095 Night Hawk Rd 59106	C12864
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PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

	Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
1		✓ EIRA M. MORGENTHALER	4200 NIGHT HAWK ROAD	C12991
2		✓ DON & SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
3		✓ DON & SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
4		✓ DON & SANDRA HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
5		✓ DON & SANDRA HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
6		✓ JAMES W BAKER, TRUSTEE OF THE J.W. BAKER TRUST	4285 LONE EAGLE DRIVE	C13309
7		✓ SAMUEL <sup>JOHN</sup> BECK	4010 NIGHT HAWK ROAD	C12862
8		✓ KRISTELL PRONGUA RECK	4010 NIGHT HAWK ROAD	C12862
9		✓ CAROL L. HURD	GEO CODE 3103217201010000	D04534
10		○ CAROL L. HURD	5318 US HIGHWAY 3	D04533
11		○ CAROL L. HURD	US HIGHWAY 3 - GEO CODE 3103217240010000	D04533A
12		✓ ROBERT N. HURD	<del>5318</del> GEO CODE 3103217201010000	D04534
13		○ ROBERT N. HURD, MD	5318 US HIGHWAY 3	D04533
14		○ ROBERT N. HURD, MD	US HIGHWAY 3 - GEO CODE 3103217240010000	D04533A
15				

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

	Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
16		✓ LAWRENCE W, CARPENTER	GEO CODE 3113125104010000	D06922
17		○ LAWRENCE W, CARPENTER	GEO CODE 3113230201016000	D13079
18		○ LAWRENCE W, CARPENTER	GEO CODE 3113230305010000	D13080
19		✓ M. KRISTINE CARPENTER	GEO CODE 3113125104010000	D06922
20		○ M. KRISTINE CARPENTER	GEO CODE 3113230201016000	D13079
21		○ M. KRISTINE CARPENTER	GEO CODE 3113230305010000	D13080
22	TRUSTEE of DON C Holzheimer and Sandra K Holzheimer Living Trust	✓ DON C. HOLZHEIMER TRUSTEE OF DON C HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
23	Trustee of Living Trust DON C Holzheimer and Sandra K Holzheimer	○ DON C. HOLZHEIMER TRUSTEE OF DON C HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
24	Trustee of Living Trust DON C Holzheimer and Sandra K Holzheimer	○ SANDRA K HOLZHEIMER TRUSTEE OF DON C. HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
25	Trustee of Living Trust DON C Holzheimer and Sandra K Holzheimer	○ SANDRA K HOLZHEIMER TRUSTEE OF DON C. HOLZHEIMER AND SANDRA K HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
26		✓ LEE ROBERT SCHERER	GEO CODE 3103204301110000	C11919B
27		○ LEE ROBERT SCHERER	4715 ROCKLEDGE ROAD	D04546
28		✓ DENISE B. SCHERER	GEO CODE 3103204301110000	C11919B
29		○ DENISE B. SCHERER	4715 ROCKLEDGE ROAD	D04546
30				

PETITION TO CREATE A FIRE SERVICE AREA

We, being property owners within "the subject area", petition to create a Fire Service Area

Property Owner - Signature	Property Owner - Printed Name	Property Owner Address	Assessment Code
31 Don and Sandra Holzheimer Trustee of Don and Sandra Holzheimer Living Trust	DON C. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
32 Don and Sandra Holzheimer Trustee of Don and Sandra Holzheimer Living Trust	DON C. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
33 Sandra K Holzheimer Trustee of Don and Sandra Holzheimer Living Trust	SANDRA K. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	4705 ALKALI CREEK ROAD	C12032
34 Sandra K Holzheimer Trustee of Don and Sandra Holzheimer Living Trust	SANDRA K. HOLZHEIMER, TRUSTEE OF DON AND SANDRA HOLZHEIMER LIVING TRUST	GEO CODE 3103205401310000	D13173
35 Sheila Ruble	✓ SHEILA RUBLE	4938 US HIGHWAY 3	D04537
36 Sheila B Ruble	○ SHEILA B. RUBLE	GEO CODE 3103217309010000	D04535
37 Sheila B Ruble	○ SHEILA B. RUBLE	US HIGHWAY 3 GEO CODE 3103217412010000	D04536
38 Sheila B Ruble	○ SHEILA B. RUBLE	GEO CODE 3103217301010000	D04538
39 Paul W. Holley Trustee Holley Living Trust	✓ PAUL W. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	4490 LONE EAGLE DRIVE	C12418
40 Paul W. Holley Trustee Holley Living Trust	PAUL W. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	GEO CODE 3103217119010000	D04542
41 D'Anne K Holley, Trustee Holley Living Trust	✓ D'ANNE K. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	4490 LONE EAGLE DRIVE	C12418
42 D'Anne K Holley, Trustee Holley Living Trust	D'ANNE K. HOLLEY, TRUSTEE HOLLEY LIVING TRUST	GEO CODE 3103217119010000	D04542
43			
44			
45			

Property Owner	TAX ID	Valid	
Morganthaler, Fred J.	C12991	1	
Carpenter, Lawrence	D13079	1	
Johnson, Kirk	C13307	1	
Urbaska, Maile	C12861	1	
Cummings, Katie	C12860	1	
Finn, Bradley J.	C12993	1	
Baker, Jim	C13309	0	The JW Baker Trust - Signed as individual
Ninichuck, Patricia	C13306	1	
Pugh, Lydia	D11607	1	
Milroy, David	C13304	1	
Scherer, Lee Robert	D04546	1	
Aleferas, Kenneth	C12421	1	
Ruble, Robert	D04537	0	Owned by Sheila Ruble
Hughes, Forest	C13305	1	
Leavesseur, Reese	C12863	0	Reese A. Leavesseur Revocable Trust - Signed as individual
Fink, Linda	D04553	1	
Reck, Samuel	C12862	1	
Brown, R. Scott	C12181	1	
Kosiarek, Greg	C13308	1	
Holzheimer, Don C.	C12032	0	Don and Sandra Holzheimer Living Trust - Signed as individual
Yandell, David W.	C12990	1	
Osborn, Marc R.	C12992	1	
Sullivan, Gene	C11919	0	Owned by Cecille Sullivan
Holly, Paul W.	D04542	0	Holly Living Trust - Signed as individual
Holly, Paul W.	C12418	0	Holly Living Trust - Signed as individual
Canton, Mark	C12033	1	
Swain, Jo	C14785	0	The Swain Family Trust - Signed as individual
Cebull, Richard F.	C13303	1	
Gregory, John R.	D04540	1	
Hurd, Robert N.	D04533	1	
Vanderloos, Bill	C12180	0	Signed by Spouse
Vanderloos, Darlene	C12180	1	
Wisler, Jeanne M.	D04531	1	

Erpelding, Christine	D04545	1	
Haynes, Jonathan T.	D11609	1	
Cebull, Brian R.	D04547	1	
Nance, Robert	D04548	1	
Alexander, James	C12864	1	
Morganthaler, Eva M.	C12991	1	
J.W. Baker Trust	C13309	1	Signed as Trustee of the JW Baker Trust
Reck, Samuel John	C12862	0	Already counted with prior signature
Reck, Kristell Prongua	C12862	1	
Hurd, Carol L.	D04534	1	
Hurd, Carol L.	D04533	0	Already counted with prior signature
Hurd, Carol L.	D04533A	0	Already counted with prior signature
Hurd, Robert N.	D04534	0	Already counted with prior signature
Hurd, Robert N.	D04533	0	Already counted with prior signature
Hurd, Robert N.	D04533A	0	Already counted with prior signature
Carpenter, Lawrence W.	D06922	0	Already counted with prior signature
Carpenter, Lawrence W.	D13079	0	Already counted with prior signature
Carpenter, Lawrence W.	D13080	0	Already counted with prior signature
Carpenter, Kristine M.	D06922	0	Bar Diamond Ranch LLC
Carpenter, Kristine M.	D13079	1	
Carpenter, Kristine M.	D13080	0	Already counted with prior signature
Don C. Holzheimer	C12032	1	Signed as Trustee of the Don C. and Sandra K. Holzheimer Living Trust
Don C. Holzheimer	D13173	0	Already counted with prior signature
Sandra K. Holzheimer	C12032	1	Signed as Trustee of the Don C. and Sandra K. Holzheimer Living Trust
Sandra K. Holzheimer	D13173	0	Already counted with prior signature
Scherer, Lee Robert	C11919B	0	Already counted with prior signature
Scherer, Lee Robert	D04546	0	Already counted with prior signature
Scherer, Denise B.	C11919B	1	
Scherer, Denise B.	D04546	0	Already counted with prior signature
Holzmeister Living Trust	C12032	0	Already counted with prior signature
Holzmeister Living Trust	D13173	0	Already counted with prior signature
Holzmeister Living Trust	C12032	0	Already counted with prior signature
Ruble, Sheila	D04537	1	
Ruble, Sheila	D04536	0	Already counted with prior signature

Ruble, Sheila	D04535	0	Already counted with prior signature
Ruble, Sheila	D04538	0	Already counted with prior signature
Holley, Paul W.	C12418	1	Signed as Trustee of the Holley Living Trust
Holley, Paul W.	D04542	0	Already counted with prior signature
Holley, D'Anne K.	C12418	1	Signed as Trustee of the Holley Living Trust
Holley, D'Anne K.	D04542	0	Signed as Trustee of the Holley Living Trust
<b>TOTAL</b>		<b>40</b>	

**B.O.C.C. Regular**

Agenda Item 3.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Checks & Disbursements from 10/01/2016 to 10/31/2016

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

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**Attachments**

Disbursements

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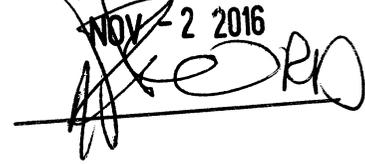
## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Yellowstone County Commissioners  
RECEIVEDNOV - 2 2016  


Check Number	Date	Payee	Amount	Status	Cleared
914469	10/12/2016	City of Billings	556.00	Outstanding	
Address P.O. Box 1178					
City Billings State MT Zip 59103					
Description Jury Parking 09/01/2016 - 10/03/2016					
Entered by KGOERS on 10/12/2016 Last changed by KGOERS					
914470	10/12/2016	David Whited	10.00	Outstanding	
Address 4319 Ellington Ave SW					
City Billings State MT Zip 59101					
Description Witness Fees DC 15-27 State vs Gregory Wilks Judge Souza					
Entered by KGOERS on 10/12/2016 Last changed by KGOERS					
914471	10/25/2016	BANKSTON, ALICIA	91.20	Outstanding	
Address 4041 PATHFINDER COURT					
City BILLINGS State MT Zip 59106					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 83098					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914472	10/25/2016	BARTA, TERENCE LEE	22.80	Outstanding	
Address 362 WOODLAND ROAD					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 109810					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914473	10/25/2016	BENEDICT, BOYD R	156.00	Outstanding	
Address 13300 PLEASANT VALLEY DR					
City MOLT State MT Zip 59057					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 20547					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914474	10/25/2016	BROWN, DELILAH K	107.40	Outstanding	
Address 5625 SHOREY RD					
City BILLINGS State MT Zip 59106					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 45945					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914475	10/25/2016	BROWN, KIMBERLY J	14.70	Outstanding	
Address 1810 POLY DR					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 13622					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914476	10/25/2016	BUMGARNER, JANET L	83.10	Outstanding	
Address 533 CARAVAN AVE					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 23588					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914477	10/25/2016	CLARK, AMANDA HASELHUHN	22.80	Outstanding	
Address 3212 GRANGER AVE EAST					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 159181					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914478	10/25/2016	COLLINS, VIRGINIA LOUISE	17.40	Outstanding	
Address 2130 WHITEWATER CIRCLE					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 158023					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914479	10/25/2016	DANIELSON, MARY KIES	13.62	Outstanding	
Address 329 WYOMING AVE					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 106598					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914480	10/25/2016	DASSINGER, DEAN MICHAEL	16.32	Outstanding	
Address 4147 MURPHY AVE					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 122949					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914481	10/25/2016	DEINES, JEFF	32.52	Outstanding	
Address 813 3RD AVE					
City LAUREL State MT Zip 59044					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 169369					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914482	10/25/2016	DENGEL, ALYSSA	14.16	Outstanding	
Address 13 PRINCE OF WALES DR					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 175533					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914483	10/25/2016	FASCHING, CAROL L	19.56	Outstanding	
Address 3436 BECRAFT LN					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 44597					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914484	10/25/2016	FEHR, GARY PETER	16.32	Outstanding	
Address 1203 AVENUE F					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 109920					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914485	10/25/2016	FENEIS, HEIDI	15.78	Outstanding	
Address 1339 TERRY AVENUE					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 139736					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914486	10/25/2016	FERGUSON, KARLA KAY	17.40	Outstanding	
Address 632 MECCA DRIVE					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 131013					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914487	10/25/2016	FLORCIK, VINCENT J	17.40	Outstanding	
Address 2224 HWY 87 E # 66					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 34313					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914488	10/25/2016	FLUSS, SHAWN A	16.32	Outstanding	
Address 3838 LASSO LN					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 5985					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914489	10/25/2016	FOSTER, AMBER JOY	102.54	Outstanding	
Address 1205 WILDERNESS DR					
City BILLINGS State MT Zip 59106					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 120258					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914490	10/25/2016	FRANCIS, BRYAN	14.16	Outstanding	
Address 130 ROCK HILL DR					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 148694					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914491	10/25/2016	GILES, JORDAN LEIGH	30.90	Outstanding	
Address 1825 E MARYLAND LN					
City LAUREL State MT Zip 59044					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 112584					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914492	10/25/2016	GIOVANINI, LOIS M	96.06	Outstanding	
Address 1113 KRISTIN DR					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 59145					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914493	10/25/2016	HADDICK, JODI L	18.48	Outstanding	
Address 1480 PEONY DR					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 183978					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914494	10/25/2016	HUEBNER, ANITA L	16.32	Outstanding	
Address 1053 NUTTER BLVD					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 171868					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914495	10/25/2016	JEFFRIES, VALERIA	107.40	Outstanding	
Address 5849 FREY RD					
City SHEPHERD State MT Zip 59079					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 58118					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914496	10/25/2016	KRIEG, BARBARA	15.24	Outstanding	
Address 2134 LEWIS AVE					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 67963					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914497	10/25/2016	LAUTT, RODDNEY J	15.24	Outstanding	
Address 3047 S 80TH ST W					
City LAUREL State MT Zip 59044					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 10108					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914498	10/25/2016	MALCOLM, JENELLE JANE	79.86	Outstanding	
Address 2010 CLARK AVE					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 1028					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914499	10/25/2016	MANCUSO, JOSEPH R	94.44	Outstanding	
Address 55 JONQUIL CIR					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 89099					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914500	10/25/2016	MCKITTRICK, JANICE	12.00	Outstanding	
Address 1249 N FRONTAGE RD					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 54040					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914501	10/25/2016	ORELUP-KAUTZ, DEANNA LYNN	13.08	Outstanding	
Address 111 S 35TH ST					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 98052					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914502	10/25/2016	PARK, RACHEL LEIGH	12.54	Outstanding	
Address 2002 11TH AVE N					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 111217					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914503	10/25/2016	PEDERSEN, MENDY	14.70	Outstanding	
Address 3282 GRANGER AVE E APT 12					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 198401					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914504	10/25/2016	PEHLER, ALBERT HENRY	22.80	Outstanding	
Address 2825 BEARTOOTH DR					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 131240					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914505	10/25/2016	PETERSON, ROBERT CLARK	107.40	Outstanding	
Address 1239 SUN VALLEY RD					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 35393					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914506	10/25/2016	PIERSON, CASSANDRA F	21.72	Outstanding	
Address 3319 HORTON SMITH LN					
City BILLINGS State MT Zip 59106					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 28466					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914507	10/25/2016	PROPP, SPENCER JACOB	27.70	Outstanding	
Address 1220 CUSTER AVENUE					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 131476					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914508	10/25/2016	ROUTE, WADE C	13.62	Outstanding	
Address 205 14TH STREET WEST					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 21646					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914509	10/25/2016	SCHLOTTER, DONALD RAY	15.78	Outstanding	
Address 333 MILES AVE					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 17740					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914510	10/25/2016	SMART, SHAWN	22.80	Outstanding	
Address 615 KENYA CT					
City BILLINGS State MT Zip 59106					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 11524					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914511	10/25/2016	STARNES, KELLY	89.58	Outstanding	
Address 3548 MCGIRL RD					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 147782					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914512	10/25/2016	THOMAS, MARY SHARYN	20.64	Outstanding	
Address 333 STILLWATER LN					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 140990					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914513	10/25/2016	TOMLINSON, DARELL BURDETTE	16.32	Outstanding	
Address 837 BETSY DRIVE					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 130866					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914514	10/25/2016	VLADIC, THOMAS J	20.10	Outstanding	
Address 919 KYHL LN					
City BILLINGS State MT Zip 59105					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 51776					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914515	10/25/2016	WALTER, JAY	107.40	Outstanding	
Address 3352 STONEBROOK DR					
City BILLINGS State MT Zip 59101					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 38891					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914516	10/25/2016	ZAVADIL, NATHAN	22.80	Outstanding	
Address 1116 19TH ST W					
City BILLINGS State MT Zip 59102					
Description Jury service from 10/04/2016 to 10/06/2016 Ref no. 174223					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					

## Check Register

Bank: Jury Funds - Account: 9705883054925

Date Range: From 10/01/2016 to 10/31/2016

All Check Types

Sorted by Check Number

Check Number	Date	Payee	Amount	Status	Cleared
914517	10/25/2016	Yellowstone County Attorney's Office	91.70	Outstanding	
Address PO Box 35025					
City Billings State MT Zip 59107					
Description Witness Lodging DC 15-6 State vs Hoelle Judge Gregory Todd					
Entered by KGOERS on 10/25/2016 Last changed by KGOERS					
914518	10/27/2016	Bryant Barbee	10.00	Outstanding	
Address 5428 Emmerson					
City St. Louis State MT Zip 63120					
Description Witness Fee DC 15-1090 State vs Terhune Judge Moses					
Entered by KGOERS on 10/27/2016 Last changed by KGOERS					
914519	10/27/2016	Bryant Barbee	41.00	Outstanding	
Address 5428 Emmerson					
City St. Louis State MO Zip 63120					
Description Witness Meals DC 15-1090 State vs Terhune Judge Moses					
Entered by KGOERS on 10/27/2016 Last changed by KGOERS					
914520	10/27/2016	Monique Cerise Dykes	10.00	Outstanding	
Address 2719 Cleveland Street					
City Hammond State IN Zip 46323					
Description Witness Fee DC 15-1090 State vs Terhune Judge Moses					
Entered by KGOERS on 10/27/2016 Last changed by KGOERS					
914521	10/27/2016	Monique Cerise Dykes	41.00	Outstanding	
Address 2719 Cleveland Street					
City Hammond State IN Zip 46323					
Description Witness Meals DC 15-1090 State vs Terhune Judge Moses					
Entered by KGOERS on 10/27/2016 Last changed by KGOERS					
Number checks: 53			Total	<u>2606.12</u>	

## All Judges

**Receipts****Cash Bond**

162000.00

Subtotal: **162000.00****Civil Filing**

Adoption	210.00
Appeal to Supreme Court	10.00
Appearance	3710.00
Commencement of Action or Proceedings / Invalidity	9600.00
Confession of Judgment	360.00
Custody	120.00
Executions, Orders of Sale, and Writs of Assistance	140.00
Foreign Judgment	630.00
Judgment Entry From Prevailing Party	450.00
Marriage License	3180.00
Petition	.00
Petition For Contested Amendments to Parenting Plan	1200.00
Petition For Dissolution	7800.00
Petition For Legal Separation	360.00
Probate / Formal And Informal	3500.00
Substitution of a Judge	400.00
Transcript of Judgment	720.00

Subtotal: **32390.00****Criminal Payment**

Billings Drug Fund City	325.00
Drug Forfeiture Fund	.13
Drug Forfeiture Fund County	822.29
Felony Surcharge	1886.82
Fine	5433.31
Legal Fee	1040.50
Misdemeanor Surcharge	147.04
Public Defender Fee	2896.93
Technology Surcharge	353.96
Victim Witness Admin Fee	31.00
Victim Witness Surcharge	1321.15

Subtotal: **14258.13****Miscellaneous**

Authenticated or Exemplified	12.00
Certification With A Seal	620.00
Copies - 11 Pages or More	295.50

**Yellowstone County District Court**  
Fines and Fees Receipts Summary  
District  
All Case Types

From 09/30/2016 06:01 PM to 10/31/2016 06:00 PM

All Judges

**Receipts**

**Miscellaneous**

Copies - First 10 Pages	1327.50
Copies by Email, Fax, etc - Outgoing	126.50
Copies, Packets, Forms	30.00
Copy of Decree of Dissolution	570.00
Copy of Marriage License	220.00
Email / Fax Filing - Incoming	42.00
Executions, Orders of Sale, Writs	290.00
Judgment Entry from Prevailing Party	1710.00
Postage	15.70
Searches - 1st Seven Years \$2 Per Name Per Year	58.00
Transfer to Another Court / Change of Venue	15.00

Subtotal: **5332.20**

**Unapplied**

Unapplied receipt	70.00
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Subtotal: **70.00**

Total Receipts: **214050.33**

**Yellowstone County District Court**  
 End of Period Disbursement  
 Disbursements on 10/31/2016 06:00 PM

Paid From	Payee	Account	Disbursement	
			Number	Amount
100-0100 Cash	County Treasurer	200-0001 Adoptive Services Special Revenue 7462-000-212200	18080	150.00
100-0100 Cash	County Treasurer	200-0150 Billings Drug Fund City 7850-000-021240	18086	325.00
100-0100 Cash	County Treasurer	200-0400 Drug Forfeiture Fund County 2391-000-350000	18083	822.42
100-0100 Cash	County Treasurer	200-0450 District Court Fund 1000-000-341050	18069	3116.75
100-0100 Cash	County Treasurer	200-0500 Domestic Violence Intervention Program 7468-000-212200	18071	715.00
100-0100 Cash	County Treasurer	200-0515 Fax / Postage 1000-221-410330-210	18084	15.70
100-0100 Cash	County Treasurer	200-0525 Felony Surcharge 2301-000-341056	18082	1861.82
100-0100 Cash	County Treasurer	200-0550 Fines 7461-000-00000	18081	6333.81
100-0100 Cash	County Treasurer	200-0700 Misdemeanor Surcharge 2301-000-341056	18070	147.04
100-0100 Cash	County Treasurer	200-0753 Public Defender Fee (Eff 7.1.2011) 7471	18085	2896.93
100-0100 Cash	County Treasurer	200-0800 State General 7461-000-000000	18072	12729.00
100-0100 Cash	County Treasurer	200-0850 State General Additional Filing Fee 7461-000-000000	18074	3060.00
100-0100 Cash	County Treasurer	200-0900 State General Commencement of Action 7463-000-212200	18075	7020.00
100-0100 Cash	County Treasurer	200-0950 State General Dissolution 7464-000-000000	18076	5780.00
100-0100 Cash	County Treasurer	200-1000 State General Legal Separation 7465-000-000000	18077	300.00
100-0100 Cash	County Treasurer	200-1050 Technology Surcharge 7458-000-000000	18078	2383.96
100-0100 Cash	County Treasurer	200-1200 Victim Witness Admin Fee 2301-000-341052	18079	31.00

**Yellowstone County District Court**  
End of Period Disbursement  
Disbursements on 10/31/2016 06:00 PM

Paid From	Payee	Account	Disbursement	
			Number	Amount
100-0100 Cash	County Treasurer	200-1250 Victim Witness Surcharge 1000-000-341050	18073	1321.15
			Subtotal:	49009.58
			Total:	49009.58

STATE OF MONTANA,           ss.}  
County of Yellowstone       ss}

I, Kristie Boelter, of the County of Yellowstone, do swear that the fee book in my office contains a true statement in detail of all fees and compensations of every kind and nature for official services rendered by me, paid or chargeable, or by my deputies or assistants for the month of October 2016, and that this fee book shows the full amount received or chargeable in that month and since my last monthly statement; that neither myself nor, to my knowledge or belief, any of my deputies or assistants have rendered any official service, except for the county or state, that is not fully set out in this fee book; and that the foregoing statement is a true and correct copy thereof. Kristie Lee Boelter, Clerk of District Court by Kristie Lee Boelter Deputy Clerk

**B.O.C.C. Regular**

Agenda Item 4. a.

**Meeting Date:** 11/15/2016

**Title:** City Variance #1244 Detention Facility Expansion

**Submitted By:** Vicki Archer

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**TOPIC:**

Letter from Planning Regarding Variance for Detention Center Expansion

**BACKGROUND:**

Public Hearing

**RECOMMENDED ACTION:**

File

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**Attachments**

Detention Variance

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**PLANNING DIVISION**  
"SERVING BILLINGS, BROADVIEW AND YELLOWSTONE COUNTY"  
**PLANNING & COMMUNITY SERVICES DEPARTMENT**  
2825 3<sup>RD</sup> AVENUE NORTH, 4<sup>TH</sup> FLOOR  
BILLINGS, MONTANA 59101  
PHONE: (406)247-8676 FAX: (406) 657-8327



Yellowstone County Commission  
**RECEIVED**

November 3, 2016

**NOV - 4 2016**

CITY VARIANCE #1244  
**Project Number: 16-00180**

Yellowstone County Board of County Commissioners  
John Ostlund, Chairman  
P.O. Box 35000  
Billings, MT 59107

Greg Erpenbach  
Yellowstone County Facilities Super  
P.O. Box 35005  
Billings, MT 59107

This is to inform you that a public hearing was held by the County Board of Adjustment at its meeting on November 2, 2016 on your application to allow the use public land contrary to zoning for a public agency on the following parcels: Parcel 1A of C/S 1340, a 20.27-acre parcel of land, in a Public Zone; Tax ID: D01739, 3165 King Avenue East. Yellowstone County intends to expand the Yellowstone County Detention Facility to accommodate additional inmates.

The County Board of Adjustment held the public hearing as required by MCA 76-2-402. The board has no ability to approve or deny the request but is the venue to submit comments to the public agency about the proposed use. You may proceed as necessary with the project.

If you have any questions, please contact me at 247-8684 or by email at [husmank@ci.billings.mt.us](mailto:husmank@ci.billings.mt.us).

Sincerely,

Karen Husman  
Planner I

Copy: Schutz Foss Architects

**B.O.C.C. Regular**

Agenda Item 4. b.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

---

**TOPIC:**

Letter from Mr. Bob Riehl, Chairman of the Lockwood Steering Committee Regarding Supporting the Proposed TEDD

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

---

**Attachments**

Lckwood Steering Committee

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NOV - 3 2016

October 31, 2016

Yellowstone County Commissioners  
217 North 27<sup>th</sup> Street  
Billings, MT 59101

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*O. Teri ✓*

LOCKWOOD TARGETED ECONOMIC DEVELOPMENT DISTRICT

Dear Commissioners:

The Lockwood Steering Committee is aware of the Yellowstone County Commissioner's current consideration of the creation of a Targeted Economic Development District (TEDD) in Lockwood. The Lockwood Steering Committee includes representatives from the districts serving Lockwood and at large representatives of the Lockwood community. On behalf of the Lockwood Steering Committee, we would like to express our support for the creation of the Lockwood TEDD.

Big Sky Economic Development has been working with the Lockwood Community on the development of an industrial park for over two years. Big Sky Economic Development has held public meetings in our community and presented updates to local districts and the Steering Committee periodically. They have responded to questions and concerns and addressed them through those meetings. The final boundary of the TEDD is well thought out, has property owner approval and is of a reasonable size (570 acres with 293 acres developable) to accommodate business growth without unduly limiting taxing jurisdictions.

Additionally, several district representatives serve on the TEDD Steering Committee. The area will provide planned growth in the area through a thoughtful process to improve infrastructure deficiencies based on area needs and increase the option for development of area properties. Planned growth will provide structure to development instead of the scattered approach that is currently taking place where businesses sometimes locate next to a school or residential parcel where compatibility is not ideal.

We encourage the Commission to approve the creation of the Lockwood TEDD.

Sincerely,



Bob Riehl  
Chairman

**B.O.C.C. Regular**

Agenda Item 5.

**Meeting Date:** 11/15/2016

**Title:** Response to Audit Findings - November 7th, 2016

**Submitted By:** Rebecca Rhodes West

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**TOPIC:**

Response to October 16th through October 31st Payroll Audit Findings

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

N/A

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**Attachments**

Response to Audit Findings - November 7th, 2016

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**B.O.C.C. Regular**

Agenda Item 6.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Lease Agreement for the Lockwood Little League Park between the Montana Department of Environmental Quality and the Yellowstone County Board of Park Commissioners

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

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**Attachments**

DEQ Lease Agreement

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September 19, 2016

Yellowstone County  
Board of Park Commissioners  
Attn: Cal Cumin  
PO Box 35, 000  
Billings, MT 59107

Dear Mr. Cumin:

Enclosed are two original copies of the Lease Agreement for the Lockwood Little League Park between the Montana Department of Environmental Quality (DEQ) and the Yellowstone County Board of Park Commissioners.

This agreement includes the change in payment schedule discussed and agreed to during our phone conversation on September 19, 2016. Thank you for working with me to finalize this agreement. Please send one of the fully executed original agreements to my attention at:

Department of Environmental Quality  
Financial Services Bureau  
P.O. Box 200901  
Helena, MT 59620-0901

If you have questions or concerns, please feel free to contact me (406-444-3101 | [vwoodrow@mt.gov](mailto:vwoodrow@mt.gov)).

Sincerely,

A handwritten signature in black ink that reads "Vicki J. Woodrow". The signature is written in a cursive style with a large, prominent "V" and "W".

Vicki J. Woodrow  
Contract Officer  
Department of Environmental Quality

Enclosures: Lease Agreement (2)

cc: Doug Kuenzli, AE&M, AMB  
Contract File

## LEASE AGREEMENT

Lease made this 1<sup>st</sup> day of September 2016 between YELLOWSTONE COUNTY, MONTANA, a political subdivision of the State of Montana, herein referred to as "Lessor," and the Air Quality Bureau, Montana Department of Environmental Quality here in after referred to as "Lessee":

### R-E-C-I-T-A-L-S

1. Lessor is the sole owner of the premises described below, and desires to lease the premises to suitable lessee.
2. The parties desire to enter a lease agreement defining their rights, duties, and liabilities relating to the premises.

In consideration of the mutual covenants contained herein, the parties agree as follows:

### SECTION ONE SUBJECT AND PURPOSE

Lessor to lease the former air quality testing site in Lockwood Little League Park located southeast of and adjacent to Old Hardin Road and west of and adjacent to Woodland Avenue in Billings, Yellowstone County, Montana for Lessee's use as an air quality monitor site. Lessee activity shall not interfere with any function or activity of the baseball complex.

Lessee must obtain written approval from Lessor prior to changing the use described herein; such written approval then amends and becomes part of this Agreement.

### SECTION TWO TERM AND LEASE AMOUNT

Lessor demises the above premises until August 31, 2017, after which all non-improvements to the land must be removed. The rental of two hundred and fifty dollars (\$250.00) is payable within five (5) days of execution of the contract. Lease payment shall be made to the Yellowstone County Treasurer and be sent to the County Park Board, P. O. Box 35,000, Billings, MT 59107.

SECTION THREE  
ADDITIONS AND IMPROVEMENTS

The Lessee will be responsible for leasehold area and, at own expense, other responsibilities include no garbage or inoperable equipment may be stored on-site.

Access to the subject site shall be provided to Yellowstone County or its representatives at any time for inspection.

SECTION FOUR  
UNLAWFUL ACTIVITY

Lessee shall neither use nor allow the property to be used for any unlawful activity.

SECTION FIVE  
ASSIGNMENT OR SUBLEASE PROHIBITED

Lessee shall not assign the lease or sublet any portion of this property.

SECTION SIX  
DAMAGES OR INJURIES

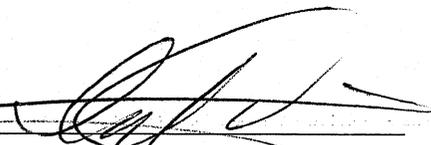
Lessee shall hold Lessor harmless for all damages or injuries which it or its agents may incur through use of this property. Proof of one hundred thousand dollar (\$100,000) per claim liability insurance must be provided prior to approval of this Agreement.

SECTION SEVEN  
TERMINATION

The Lessor and Lessee may unilaterally terminate this upon thirty (30) days written notice to the Lessor or Lessee at the addresses listed herein. No return of lease funds shall occur.

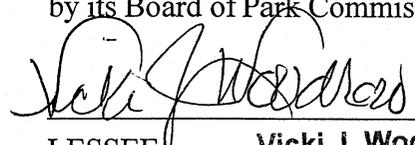
Lessee can renew the lease at its termination date upon provision of the lease payment and proof of insurance to the Lessor. After five years this Lease shall become null and void unless renegotiated in writing by the parties hereto. If another party wishes to lease the park land, such party will be allowed to bid for the lease at its termination, at which time the existing lessee is allowed to match the new bid. A competing bid must be at least one hundred dollars (\$100.00) higher than the existing lease.

IN WITNESS WHEREOF, the parties have executed this lease at Billings, Montana, the day and year first above written.

LESSOR: 

YELLOWSTONE COUNTY, MONTANA

by its Board of Park Commissioners

LESSEE: 

*09/19/16*  
Vicki J. Woodrow  
Contracts Officer

ATTEST:  
  
\_\_\_\_\_

**B.O.C.C. Regular**

Agenda Item 7.

**Meeting Date:** 11/15/2016

**Title:**

**Submitted By:** Teri Reitz, Board Clerk

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**TOPIC:**

Documentation for the Request for Proposals & Request for Qualifications for General Contractor/Construction Manager Services for the Detention Facility Addition/Remodel

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Place to file.

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**Attachments**

RFP

RFQ

RFP/RFQ

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**YELLOWSTONE COUNTY**

**REQUEST FOR PROPOSALS FOR  
GENERAL CONTRACTOR/CONSTRUCTION MANAGER SERVICES FOR  
ALTERNATIVE PROJECT DELIVERY FOR THE  
YELLOWSTONE COUNTY DETENTION FACILITY ADDITION/REMODEL**

**November 2016**

**REQUEST FOR PROPOSALS FOR  
GENERAL CONTRACTOR/CONSTRUCTION MANAGER SELECTION  
FOR THE YELLOWSTONE COUNTY DETENTION FACILITY ADDITION/REMODEL  
BILLINGS, MONTANA**

The Commissioners of Yellowstone County, Montana approved funding for the design, construction and renovation of the Yellowstone County Detention Facility (YCDF). The Commissioners of Yellowstone County, Montana, (the "County"), require the services of a competent General Contractor/Construction Manager(s) (GC/CM), normally engaged in this profession and duly registered as a Construction Contractor in the State of Montana, to provide GC/CM services as an alternative delivery process, specifically for the following Project:

**Yellowstone County Detention Facility Addition/Remodel  
3165 King Avenue East, Billings, Montana**

It is the Commissioners desire to engage a qualified GC/CM firm to work with the County and the selected Architectural firm for the performance of this project. The County has selected Schutz Foss Architects as the Design Firm for the project. The Architects have completed design development documents, and which can be viewed at the following website:

<https://schutzfoss.sharefile.com/d-s5d391f6a761448da>

Time is of the essence, as the project shall be fully complete and ready for occupancy by no later than the spring of 2018.

The final form of the contract shall be an amended AIA A-133™ - 2009 "Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of Work Plus A Fee with a Guaranteed Maximum Price", in conjunction with AIA A201™ - 2007 "General Conditions of the Contract for Construction." It is the intent of the County to make a single award for these services specific to this RFP.

The entire context of this RFP for GC/CM services can be found on the County's website at the following link: <http://www.co.yellowstone.mt.gov/> and are also available at Yellowstone County Commission offices located at 217 North 27<sup>th</sup> Street, Billings, Montana.

The County is requesting proposals from qualified business firms, corporations, joint ventures, partnerships, or individuals (Respondent) dealing in Commercial General Construction for the subject project located in Billings, MT and which responded to and were qualified through the RFQ process. Those candidates that meet all RFQ requirements and can provide all of the services indicated herein are being provided with an opportunity to submit a proposal for the work.

**SUBMITTAL OF INFORMATION:**

Eight (8) hard copies and 1 electronic copy of the written response to this RFP must follow submittal instructions, must be placed in a separate sealed package, clearly marked RFP, and be received at:

Board of County Commissioners  
Room 403  
217 N. 27<sup>th</sup> Street  
Billings, MT 59101.

NOTE: CAREFULLY READ SUBMITTAL INSTRUCTIONS. The separate sealed RFQ and RFP responses will be placed together in a single sealed package

All questions and contact regarding this RFP must be submitted in writing (Email/facsimile is acceptable) to:

Purchasing Department  
Yellowstone County Courthouse  
Attention: James Matteson  
217 North 27<sup>th</sup> Street  
Room 404  
Billings, MT 59101  
[jmatteson@co.yellowstone.mt.gov](mailto:jmatteson@co.yellowstone.mt.gov)  
Facsimile: 406-254-7929

To be considered for this Work, all RFP's must be received and date stamped no later than December 2, 2016 @ 5:00PM MST at the above address. Late submittals will not be considered.

The costs for developing and delivering responses to this RFP and any subsequent presentations of the proposal as requested by the County are entirely the responsibility of the offeror. The County is not liable for any expense incurred by the offeror in the preparation and presentation of their proposal or any other costs incurred by the offeror prior to execution of a contract. All materials submitted become the property of the County.

**GENERAL REQUIREMENTS FOR GC/CM SERVICES:**

**SCOPE OF PRECONSTRUCTION SERVICES**

Each GC/CM firm invited to respond to the RFP shall propose a maximum Pre-Construction services fee for Construction Phase Services. The specific scope of preconstruction services will be negotiated prior to signing the Contract. In general, preconstruction services are anticipated to include the following:

1. Participation in all subsequent design, coordination, and building committee meetings if invited;
2. Review of all designs for constructability;

3. Work with the County and design team on phasing, scheduling, and other strategies to complete construction of this scale of project on or before the stated date;
4. Coordination and gathering of input from subcontractors regarding constructability;
5. Prepare construction cost estimates for the project at the remaining phases of design taking into consideration schedule and market conditions;
6. Consult with, advise, assist, and provide recommendations to the County and design team on all aspects of the planning and design of the work accomplished to date;
7. Provide information, estimates, schemes, and participate in decisions regarding construction materials, methods, systems, phasing, sustainability and costs to assist in determinations which are aimed at providing the highest quality building, constructed using the most sustainable construction materials and practices, within the budget and schedule;
8. Review in-progress design and construction documents and provide input and advice on construction feasibility, alternative materials, costs and availability;
9. Review completed design and construction documents prior to subcontractor/supplier bidding/selection and suggest modifications to improve completeness and clarity and to eliminate construction change requests due to inconsistencies or omissions in the construction documents;
10. Provide input to the Owner and the design team regarding construction market bidding climate, status of key subcontract markets, and other relevant economic conditions;
11. Recommend and actively source labor and material resources necessary to complete the project construction;
12. Provide input to the Owner and the design team regarding long lead time materials and equipment, impact on the construction schedule and strategies for mitigating the impact;
13. Notify the Owner and design team immediately if construction cost estimates appear to be exceeding the construction budget, and reconcile each cost estimate with the Architect's cost estimate, if required;
14. Furnish a final construction cost estimate for the Owner's review and approval;
15. Develop a comprehensive CPM construction schedule;
16. Develop all subcontractor/supplier bid packages and perform all advertising and receipt of Subcontractor and Supplier bids;
17. Obtain bids per trade for the Owner's/Architects review, unless otherwise approved by Owner in order to meet resourcing requirements, per GC/CM Contract. Self-performed work must be bid against at least two subcontractors, if readily available;
18. Upon execution of any Early Work Amendment prior to a GMP agreement, undertake early material procurement, site preparation, and advance construction work.

#### **SCOPE OF CONSTRUCTION PHASE SERVICES**

In general, construction phase services are anticipated to include the following:

It is anticipated that a GMP for the entire project will be requested near the completion of the Construction Documents phase provided the cost estimate is within the Owner's budget. The established GMP will be the maximum amount paid for the entire work, unless scope changes are requested by the Owner. Acceptance of the GMP by contract will constitute completion of preconstruction services and that a subsequent GMP

Agreement/Amendment will initiate the construction period services for the Project. For any on-site construction work started prior to the executed amendment for GMP, the GC/CM will be required to submit performance and payment bonds in total of the cost of the work progressively. At the time of execution of the GMP amendment, the GC/CM will be required to submit a 100% performance and 100% payment bond for the amount of the GMP. The Owner retains the option to cancel the construction phase services, or to start a new process for the construction of the Project, or terminate the contract and negotiate a replacement contract with the next highest rated Proposer from this solicitation, or to conclude the GC/CM's services at pre-construction and issue the Project on a lowest, responsible bidder method.

Reference to The State of Montana Wage Rates/Schedule incorporated in this RFQ is provided for informational purposes only. The selected GC/CM will be required to comply (as a minimum allowable rate schedule) with those Rates adopted and effective at the time of signing the GMP Agreement/Amendment. Full text for rates and compliance can be found on the State of Montana, Department of Labor website at:

<http://erd.dli.mt.gov/Portals/54/Documents/Labor-Standards/dli-erd-ls148.pdf?ver=2016-01-13-091253-813>

#### **SELECTION PROCEDURE:**

The County intends to evaluate and award a contract for the project without conducting discussions. However, the County reserves the right to conduct discussions if determined by the County to be in the best interest of the County at any time leading up to contract award. As such, the Respondent is encouraged to provide their best possible pricing initially as Final Proposal Revisions may not be requested.

The GC/CM shall submit all required information by the response date of this RFP request. All information will be evaluated and rated in a manner that best serves the interests of the County. Past Performance, Critical Personnel and Equipment, Scheduling and Pricing are all of significant importance.

RFP's provided by qualified firms, as adjudged by the selection committee, will be reviewed, and the top four (4) as scored, specific to project approach and price, will have the opportunity to make a formal presentation (interview) to the County Selection Committee.

#### **PROJECT APPROACH (Scored from a total of 100 points)**

Provide details of your proposed project approach which shall address, at a minimum:

1. A description of your project management approach to meet the needs of the project. Provide input concerning your proposed project managers duties, responsibilities and time allotted to the project;
2. A description of your project supervisory approach to meet the needs of the project. Provide input concerning your proposed supervisor(s) duties, responsibilities and time allotted to the project;
3. Your past experience and ability to work with the selected A/E firm during the design, budgeting and construction phase;
4. List and describe what you consider the most critical components of providing construction services adjacent to and within an occupied detention facility.

5. Provide a list of county detention centers and state correctional facilities, currently under construction, or completed, in the last five years. Provide the following information for each: Project name, Owners name, project location, current Owner contact with phone number and email address, size of project (SF), construction cost of project, and the name and contact information for the Architect of the project.
6. Outline and describe your company's specific procedures regarding safety and security while working in an occupied detention facility.
7. How you plan to encourage local participation in subcontracting, suppliers and the local labor pool. Provide a detailed description of work normally performed by your own forces, and provide a detailed description of work normally subcontracted to other firm or companies. Discuss your subcontracting plan and thoughts on engaging services of local firms as well as your prequalification process for selection of potential subcontractors. Major subcontractors (e.g. mechanical, electrical, technology/data and security) may be selected by the GC/CM on a qualification, performance, or best value basis in conjunction with the Owner, Architect, and Engineers, as appropriate. Subcontracts may be awarded to qualified subcontractors on a low cost or best value basis in concurrence with the Owner, Architect and Engineers;
8. Proposed Project Schedule: The Respondent shall demonstrate their proposed approach including a progress schedule in a time scaled bar graph format. The horizontal axis shall be scaled for time beginning with the Notice to Proceed and concluding with contract completion. All schedule items shall show start and completion dates and specific tasks. Provide adequate detail to demonstrate your understanding of the project delivery. For the purpose of responding to this RFP assume a start date for on-site construction of March 2017, and with completion no later than spring of 2018.

**PRICE (Scored from a total of 100 points):**

- a. Preconstruction Services Fee - Provide your firm's Preconstruction Services Fee as a maximum, not-to-exceed amount for this Project, together with hourly rates or other basis of compensation for those assigned to the preconstruction phase. These services are to be paid on a cost reimbursement basis up to the stated maximum. This fee is for the services described above and other services you describe herein. A zero-dollar or token Preconstruction Services Fee is prohibited.
- b. GC/CM Fee - Provide your firm's GC/CM Fee for overhead and profit as a percentage of the Estimated Cost of Work for this Project. Assume the Estimated Cost of Work (ECoW) to be \$13,000,000. The ECoW does not include the project design/construction contingency.
- c. General Conditions Costs - Complete the attached "Guaranteed Maximum Cost for Reimbursable expenses for General Conditions" (GMCR) worksheet to indicate your firm's proposed guaranteed maximum costs covering general conditions for the duration proposed in this RFP and not for your proposed schedule. **Any line item not completed on this worksheet with a specific dollar amount, but with the designation of "By Owner", "Cost of the Work" and/or "Not Required" (for this project), will be evaluated and leveled by**

**utilizing the highest line item cost taken from the other proposers worksheets, or at the County's discretion zeroed out on all proposers worksheets, to make an accurate general conditions cost comparison.**

- d. Method of Adjustment for Change Orders - The proposal shall include the method of adjustment as a single, combined percentage for the GC/CM's overhead and profit allowance for Owner-directed changes in the Work.
- e. Sub-Contractor Method of Adjustment - The proposal shall include the method of adjustment as a single, combined percentage for the limit of your subcontractors overhead and profit allowance for Owner-directed changes in the Work.
- f. Owner's analysis of fees and costs (Cost Comparison): The ECoW (\$13,000,000) will be multiplied by the firm's GC/CM Fee percentage then added to the proposed General Conditions Costs and Preconstruction Services Fee to provide an overall cost comparison among the firms. *(this comparison is only one factor in how the committee may score this portion of the RFP)*

Cost comparison = (\$13,000,000 x GC/CM fee) + GMCR + Preconstruction Services Fee

Pricing will be evaluated to determine reasonableness and evaluate potential performance risks. In this context, reasonableness may be determined by comparing offered prices with the initial budget study or other critical factors. Pricing will be evaluated as either reasonable or unreasonable. The County reserves the right to cancel the RFP and re-solicit via another mechanism should a fair and reasonable price not be achieved or reasonableness of price cannot be determined.

#### **PRESENTATION AND INTERVIEW (Scored from a total of 100 points)**

The top 4 highest scored respondents on project approach and pricing will have the opportunity to interview with the County selection committee. The interview date, time and location will be provided. The format of the presentation and interview will be left up to the proposing firm. Presentations will be limited to 60 minutes with a 10 minutes transition time between firms. At a minimum, the GC/CM's proposed project manager, pre-construction services estimator, and construction superintendent(s) must be present at the interview.

**PROJECTED COST RANGE:** The estimated cost for direct construction is \$13,000,000. This cost will be utilized to calculate an overall price for scoring purposes but DOES NOT include; GC/CM GMCR, overhead, profit, permits, performance or payment bonds.

#### **BONDING:**

For any on-site construction work started prior to the executed amendment for GMP, the GC/CM will be required to submit performance and payment bonds in total of the cost of the work progressively. The County will require the successful GC/CM(s) to provide a performance and payment bond in the amount of 100% of the final established value of the work (GMP).

## COMPLIANCE WITH LAWS

The Contractor must, in performance of work under this contract, fully comply with all applicable federal, state or local laws, rules, regulations, including the Montana Human Rights Act, Civil Rights Act of 1964, the Age Discrimination Act of 1975 and the American with Disabilities Act of 1990. Any subletting or subcontracting by the Contractor subjects Subcontractors to the same provisions. In accordance with section 49-3-207, MCA, the Contractor agrees that the hiring of persons to perform the contract will be made on the basis of merit and qualifications and there will be no discrimination based upon race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by the persons performing under the contract.

## INSURANCE - WORK ON A COUNTY FACILITY

The Contractor shall, at its own expense, provide and maintain during the entire performance of this contract, at least the kinds and minimum amounts of insurance required in the Schedule or elsewhere in the contract.

Before commencing work under this contract, the Contractor shall notify the County in writing that the required insurance has been obtained. The Contractor shall insert the substance of this clause, including this paragraph, in Subcontracts under this contract that require work on a County installation and shall require Subcontractors to provide and maintain the insurance required in the Schedule or elsewhere in the contract. The Contractor shall maintain a copy of all subcontractors' proofs of required insurance, and shall make copies available to the County upon request.

Contractor shall carry the following insurance and shall provide the County with certificates verifying coverage for the following:

A. **Insurance Carrier:** Must be rated at least "A-" by A.M. Best Company or a acceptable State Fund for Workers Compensation.

B. **Workers Compensation:** Copy of Contractors Exemption, if applicable and proof of Workers Compensation Insurance. The County may withhold a percentage to cover costs if proof of coverage is not provided.

Workers Compensation-	Statutory
Employers Liability Limits-	\$1,000,000 Each Accident
	\$1,000,000 Disease- Policy Limit
	\$1,000,000 Disease- Each Employee

C. **Commercial General Liability Insurance:** Including Premise & Operations, Personal & Advertising Injury, Blanket Contractual (no restrictive endorsements such as CG 2139, CG 2426, CG 2294) and Products & Completed Operations.

Limits:	\$1,000,000 Each Occurrence
	\$2,000,000 Products/Completed Operations
Aggregate	\$2,000,000 General Aggregate

The County shall be named as a **Primary Additional Insured**. The policy will provide an endorsement to provide coverage for the County as an additional insured including **Completed Operations Liability**. The use of the ISO CG 3287 and CG 3290 or its equivalent is acceptable. If the **additional insured endorsement** does

not accompany the certificate of insurance, the certificate of insurance must list the form numbers/edition dates for the Additional Insured Endorsement being used and the actual endorsement must be mailed when received. The Additional Insured Endorsement including Products and Completed Operations is required to be maintained for 2 Years upon completion of the project.

**Waiver of Subrogation in favor of the County.  
Per Project Aggregate Endorsement required.**

**D. Automobile Liability:**

Limits: Owned Autos	\$1,000,000 Each Accident
Hired/Non-Owned Autos	\$1,000,000 Each Accident

**E. Umbrella/Excess Liability:**

Limits: \$1,000,000 Each Occurrence

**F. Owners & Contractors Protective Liability (OCP):**

Limits: \$1,000,000 Each Occurrence  
\$2,000,000 Aggregate

**Policy will be in the name of the County**

**G. Contractor Tools/Equipment:** All tools leased, borrowed or owned by the Contractor/Subcontractor will be their responsibility.

**H. Cancellation/Non-Renewal Notice:** Minimum of 45 days on Certificate of Insurance.

Builders Risk Insurance will be provided by the County.

**- INSTRUCTIONS TO PROPOSERS**

Proposals must:

1. Follow the format outlined in the Selection Procedure, above.
2. Be signed by an officer or principal of your firm.
3. Be contained in a document not to exceed 20 pages total (single or double-sided printing is acceptable) including whatever pictures, charts, graphs, tables, and text the firm deems appropriate to be part of the review of the firm's qualifications. A separate transmittal letter, cover page, cover sheets, sample schedules, and dividers are exempted from the page limit. The page size is limited to 8-1/2 x 11 inches, with basic text information reasonably legible.
4. Include a proposed project schedule, and which does not count toward the page limit.
5. Include the following Guaranteed Maximum Cost for Reimbursable Expenses (GMCR) for General Conditions, and which is exempt from page limit in line item (3) above.

**GUARANTEED MAXIMUM COST FOR REIMBURSABLE EXPENSES  
 FOR GENERAL CONDITIONS**

**CONSTRUCTION OF THE YCDF**

List the following Guaranteed Maximum Cost for Reimbursable (GMCR) expenses for General Conditions. All lines are to be completed by listing one of the following:

1. The dollar amount to be reimbursed.
2. "Included in Fee" if included in GC/CM Fee = IIF
3. "By Owner" if required but not included in GMP, GC/CM Fee or GMCR = BO
4. "Not Required" if the GC/CM determines that the service is not required for the project = NR
5. "Cost of the Work" if the GC/CM determines that an item will be issued in a later bid pack = COW

The total of these costs shall constitute the Guaranteed Maximum Cost for Reimbursables (GMCR).

<b>100</b>	<b>Personnel/Organization</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>GMC</b>
1	Project Executive				
2	Project Manager				
3	Assistant Project Manager				
4	Estimator				
5	Project Engineer I				
6	Project Engineer II				
7	Project Superintendent				
8	Business Manager				
9	Secretary				
10	Clerk				
11	Other				
12	Other				
13	Other				
	Subtotal				

Request for Proposals for GC/CM Services  
Yellowstone County Detention Facility Addition/Remodel  
Billings, Montana

<b>200</b>	<b>All Office (Home &amp; Field) Supplies and Expenses</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>GMC</b>
1	Office and Eng. Supplies				
2	Office Equipment - Rent or Depreciation				
3	Office Equipment Purchase				
4	Photo Copy				
5	Blueprints - Printing				
6	Photos				
7	Computer Equipment				
8	FAX Charges				
9	Telephones Charges				
10	Cell Phone Charges				
11	Radios				
12	Postage				
13	Other				
	Subtotal				
<b>300</b>	<b>Field Office Rental</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>GMC</b>
1	Rent				
2	Transport, Set-Up and Dismantle				
3	Power				
4	Water				
5	Maintenance/Janitorial				
6	Heat				
7	Phone/Data				
8	Toilet facilities				
	Subtotal				
<b>400</b>	<b>Professional Services</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>GMC</b>
1	Design/Engineering				
2	Data Processing				
3	Consulting Fees and Expenses				
4	Legal Expense				
5	Project Scheduling				
8	Other				
9	Other				
	Subtotal				

Request for Proposals for GC/CM Services  
Yellowstone County Detention Facility Addition/Remodel  
Billings, Montana

<b>500</b>	<b>Project Transportation/Travel</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>GMC</b>
1	General Automotive				
2	Trucks including fuel and automobile liability insurance				
3	On-site transports				
4	Other				
5	Other				
6	Other				
7	Other				
8	Other				
	Subtotal				
<b>600</b>	<b>Miscellaneous Expenses</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Price</b>	<b>GMC</b>
1	Home Office Management Expenses				
2	Cash Discounts Earnings				
3	Advertising				
4	Home Office Accounting				
5	Association Fees				
6	Performance & Payment Bonds				
7	Permits (plan review fee by others)				
8	Commercial General Liability, umbrella and OCP premiums attributable to this specific project;				
9	As Built Documents provided to A/E				
10	Close-out Information				
11	O&M Manuals (3 sets)				
12	Safety/First Aid				
13	Continuous Clean-up				
14	Rubbish Removal				
15	Final Clean-up				
16	Punch List				
17	Temporary Protection				
18	Site Fencing				
19	Other				
20	Other				
	Subtotal				
<b>Total Guaranteed Maximum Cost for Reimbursables</b>					

- END OF THIS REQUEST FOR PROPOSAL -

**YELLOWSTONE COUNTY**

**BILLINGS, MONTANA**

**REQUEST FOR QUALIFICATIONS FOR**

**GENERAL CONTRACTOR/CONSTRUCTION MANAGER SERVICES**

**FOR**

**ALTERNATIVE PROJECT DELIVERY**

**FOR**

**THE YELLOWSTONE COUNTY DETENTION FACILITY ADDITION/REMODEL**

**NOVEMBER, 2016**

**Request for Qualifications for General Contractor/Construction Manager Services  
Yellowstone County Detention Facility Addition/Remodel  
Billings, Montana**

The Commissioners of Yellowstone County, Montana approved funding for the design, new construction and renovation of the Yellowstone County Detention Center (YCDF). The Commissioners of Yellowstone County, Montana, (the "County"), require the services of a competent General Contractor/Construction Manager(s) (GC/CM), normally engaged in this profession and duly registered as a Construction Contractor in the State of Montana, to provide GC/CM services as an alternative delivery process, specifically for the following Project:

**The Yellowstone County Detention Facility Addition/Remodel  
3165 King Avenue East, Billings, Montana**

It is the Commissions desire to engage a qualified GC/CM firm to work with the County and the selected Architectural firm for the performance of this project. The County has selected Schutz Foss Architects as the Design Firm for the project. The Owner's Architects have completed design development documents, and which can be viewed at the following website:

<https://schutzfoss.sharefile.com/d-s5d391f6a761448da>

Time is of the essence, as the project shall be fully complete and ready for occupancy by no later than spring of 2018.

The final form of the contract shall be an amended AIA A-133™ - 2009 "Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of Work Plus A Fee with a Guaranteed Maximum Price", in conjunction with AIA A201™ - 2007 "General Conditions of the Contract for Construction." It is the intent of the County to make a single award for these services specific to YCDF.

The entire context of this RFQ/RFP for GC/CM services, including submittal instructions, can be found on the County's website at the following link: <http://www.co.yellowstone.mt.gov/> and are also available at Yellowstone County Commission offices located at 217 North 27<sup>th</sup> Street, Billings, Montana.

**SUBMITTAL OF INFORMATION**

Eight (8) hard copies and 1 electronic copy of the written response to this RFQ must follow submittal instructions, must be placed in a separate sealed package, clearly marked RFQ, and be received at:

Board of County Commissioners  
Room 403  
217 N. 27<sup>th</sup> Street  
Billings, MT 59101.

**NOTE: CAREFULLY READ SUBMITTAL INSTRUCTIONS.** The separate sealed RFQ and RFP responses will be placed together in a single sealed package.

**ALL QUESTIONS AND CONTACTS REGARDING THIS RFQ MUST BE SUBMITTED IN WRITING** (email or facsimile is acceptable) TO:

Purchasing Department  
Yellowstone County Courthouse  
Attention: James Matteson  
217 North 27<sup>th</sup> Street  
Room 404  
Billings, MT 59101  
E-mail: [jmatteson@co.yellowstone.mt.gov](mailto:jmatteson@co.yellowstone.mt.gov)  
Fax: 406-254-7929

**INSTRUCTIONS TO PROPOSERS:**

Statements of Qualifications must:

1. Follow the format outlined in the Selection Procedure;
2. Be signed by an officer or principal of your firm;
3. Be contained in a document not to exceed a total of Twenty-five (25) single side, 8.5" x 11" pages. This page limit is inclusive of all information, pictures, charts, graphs, tables, and text the proposer deems appropriate to be part of the review of the firm's qualifications. A transmittal letter and front and back cover pages are exempted from the page limit. Page size is limited to 8-1/2 x 11 inches, with basic text size of all information reasonably legible.

**TIMELINE FOR REVIEW AND SELECTION AS FOLLOWS:**

Advertising dates:	November 11 <sup>th</sup> , 18 <sup>th</sup> and 25 <sup>th</sup> , 2016
Submission of firms Qualification's due:	December 2, 2016, 5:00PM MST
Receipt acknowledged by Owner:	December 6, 2016 at the regular board meeting
Review by the County:	TBD

Interviews:	TBD
Selection and Negotiation:	TBD
Award:	TBD

**GENERAL REQUIREMENTS FOR GC/CM SERVICES:**

**SCOPE OF PRECONSTRUCTION SERVICES**

The specific scope of pre-construction services will be negotiated prior to signing the Contract. In general, pre-construction services are anticipated to include the following:

1. Participation in all design, coordination, and building committee meetings;
2. Review of all designs for constructability;
3. Work with the County and design team on phasing, scheduling, and other strategies to complete construction of this scale of project on or before the aforementioned dates;
4. Coordination and gathering of input from subcontractors regarding constructability;
5. Review and cost evaluation at each phase beyond 50% CD's of design taking into consideration schedule, phasing and market conditions;
6. Consult with, advise, assist, and provide recommendations to the County and design team on materials and constructability;
7. Provide information, estimates, schemes, and participate in decisions regarding construction materials, methods, systems, phasing, and costs to assist in determinations which are aimed at providing the highest quality building, constructed using the most sustainable construction materials and practices, within the budget and schedule;
8. Review in-progress design and construction documents and provide input and advice on construction feasibility, alternative materials, costs and availability;
9. Review completed design and construction documents prior to subcontractor/supplier bidding/selection and suggest modifications to improve completeness and clarity and to eliminate construction change requests due to inconsistencies or omissions in the construction documents;
10. Provide input to the County and the design team regarding construction market bidding climate, status of key subcontract markets, and other relevant economic conditions;
11. Recommend and actively source labor and material resources necessary to complete the project construction;
12. Provide input to the County and the design team regarding long lead time materials and equipment, impact on the construction schedule and strategies for mitigating the impact;
13. Prepare construction cost estimates for the Project at the construction document design phase and, if appropriate, at other times throughout of the work;
14. Notify the County and design team immediately if construction cost estimates appear to be exceeding the construction budget, and reconcile each cost estimate with the Architect's cost estimate, if required;
15. Furnish a final construction cost estimate for the County's review and approval;
16. Develop a firm construction schedule;

17. Develop all subcontractor/supplier bid packages and perform all advertising and receipt of subcontractor and supplier bids;
18. Obtain bids per trade for the County's review, unless otherwise approved by County in order to meet resourcing requirements, per the GC/CM Contract. Self-performed work must be bid against at least two subcontractors, if readily available;
19. Upon execution of any Early Work Amendment prior to a GMP agreement, undertake early material Procurement, site preparation, and advance construction work.

### **SCOPE OF CONSTRUCTION PHASE SERVICES**

In general, Construction Phase Services are anticipated to include the following:

It is anticipated that a GMP for the entire project will be requested near the completion of the Construction Documents phase provided the cost estimate is within the County's budget. The established GMP will be the maximum amount paid for the entire work, unless scope changes are requested by the County. Acceptance of the GMP by contract will constitute completion of preconstruction services and the GMP Agreement/Amendment will initiate the construction period services for the Project. For any work conducted on site prior to the establishment of the GMP the GC/CM will provide appropriate levels of performance and payment bonds for any work in progress. At the time of execution of the GMP, the GC/CM will be required to submit a 100% performance and 100% payment bond for the amount of the GMP. The County retains the option to cancel the construction phase services, or to start a new process for the construction of the project, or terminate the contract and negotiate a replacement contract with the next highest rated Proposer from this solicitation, or to conclude the GC/CM's services at pre-construction and issue the Project on a lowest, responsible bidder method.

Reference to The State of Montana Wage Rates/Schedule incorporated in this RFQ is provided for informational purposes only. The selected GC/CM(s) will be required to comply (as a minimum allowable rate schedule) with those Rates adopted and effective at the time of signing the GMP Amendment or any time work is awarded on the project for construction.

Full text for rates and compliance can be found on the State of Montana Department of Labor website:

<http://erd.dli.mt.gov/Portals/54/Documents/Labor-Standards/dli-erd-ls148.pdf?ver=2016-01-13-091253-813>

### **SELECTION PROCEDURE**

This RFQ is the first of a multi-part selection process. In order to qualify for further consideration, Proposers must comply with the mandatory requirements provided below. Statements of Qualifications that do not contain the required documentation will be deemed nonresponsive to this RFQ requirement and will be rejected on that basis. Only firms that satisfy the required qualifications as determined by the County selection committee will be able to propose further by having their RFP opened and reviewed by the County. To be eligible and have their proposal reviewed by the County, Proposers must meet certain minimum Qualification Conditions.

The County has identified the following pass/fail Qualification Conditions in order to establish eligibility (qualified) to advance further as part of this RFQ. The scoring questions that follow these Qualification Conditions, will establish the qualified firms and said firms will be invited to provide a Proposal.

**Qualification Conditions (pass/fail)**

**1. General Contractor/Construction Manager Firm Information:**

a. Proposer must demonstrate successful experience and capacity to act as a GC/CM on projects of similar size, type and complexity. Specifically, the County will be looking for successful experience constructing medium security detention facilities for public agencies.

b. Firm Background: Describe your firm's history. Include information identifying the firm's annual volume of business, financial/bonding capacities, and speak to the firm's stability in the marketplace. Information identifying the firm's strengths and weaknesses along with special capabilities that may be appropriate to this Project will assist in the evaluation.

c. Provide complete information on your bonding company and agent.

i. Provide contact name, phone and email information for this project.

ii. If less than 5 years, or not your exclusive surety source, list others used in the last 5 years

d. In the last five (5) years, have you (for each "yes" response provide an explanation):

i. had a settled or pending claim against your payment or performance bond?

ii. had a contract terminated for default on a project?

iii. been assessed liquidated damages for late delivery of a project?

iv. taken legal action or dispute resolution proceedings against an Owner other than for an Owner's failure to pay?

**2. Bonding Capacity:**

Provide proof of bonding capacity. The Proposer must be capable of providing a 100% performance bond and 100% payment bond for a project valued up to \$15 million in construction costs, as documented by a letter or binder from the Surety, this letter will be an absolute guarantee not a favorable response from the surety and submitted with the RFQ response.

**3. Construction Contractor Registration:**

Proposer must include evidence of valid current Montana construction contractor registration submitted with the RFQ response.

**4. Safety**

a) Provide incidence rate, experience modification rate, AND loss ratio. An incidence rate greater than the latest average for non-residential building construction as established by the federal Bureau of Labor Statistics (BLS) for the prior year or an experience modification rating (EMR) greater than 1.0 or a loss ratio of more than 100% may result in immediate disqualification on this item.

- b) Provide your firm's number of employees for BLS's most recent reporting period and your firm's applicable NAICS code.
- c) Proposer may submit an explanation for incident rate, EMR, and/or loss ratio greater than those listed here for further consideration by the Owner. The Owner reserves the sole right to waive the pass/fail requirement if, in the Owner's sole judgment, sufficient justification exists for any explanation provided. The Owner also reserves the right to request additional information and/or clarification on this item but is not obligated to do so prior to making its determination on whether or not to waive the requirement.

Firms that meet the aforementioned pass/fail requirements will be further evaluated by the County selection committee, to determine reasonableness of meeting the following minimum qualification standards specific to this type of project.

**1. Specific Project Requirements:**

- a. Proposer should provide evidence of successful experience and capacity to act as a GC/CM on similar projects (i.e. alternative delivery methodology, pre-construction services, phased construction and critical timelines), and on occupied detention facilities. Provide a list of county detention centers, and state correctional facilities, currently under construction, or completed, in the last five years, including size and cost. Provide all pertinent contact information for the agencies and designers familiar with your work on each project.
- b. Proposers' project manager and superintendent should demonstrate that they have:
  - i. Successfully completed projects of this type individually; and,
  - ii. Successfully completed projects of this type together.
- c. Proposers should provide evidence of their success in maintaining project schedules for projects specific to detention facilities, and specifically occupied detention facilities.
- d. Proposers should provide their current and projected workload, specifically projects under construction and projects under contract. Provide a specific total dollar value for projects under contract.
- e. Proposers should provide a general description of their experience in the preparation and execution of a Subcontracting Plan as pertains to public bidding requirements.
- f. Proposers should provide evidence and knowledge of common cost estimating practices, and ability to maintain established budgets for projects of similar size and scope.
- g. Proposers should provide evidence of successfully completing work on public detention facilities.

In addition to the above, responders are asked to provide the following:

- 1. Cover letter / Statement of interest;

2. List the firm's name and complete address. List both street and mailing address;
3. Provide the address of the specific office which will have responsibility for performing the work;
4. Provide résumé's of proposed staff and relevant experience.

This RFQ shall not commit the County to enter into any agreement, to pay any expenses incurred in preparation of any response to this request, or to procure or contract for any supplies, goods or services. The County reserves the right to accept or reject any and all responses received as a result of this RFQ if it is in the County's best interest to do so. By offering to perform services under this procurement, proposers agree to be bound by the laws of the State of Montana, including but not limited to: applicable wage rates, gross receipts taxes, building codes, Equal Opportunity Employment practices, and safety.

Only the RFP responses of those firms which are adjudged, by the determination of the selection committee, as qualified, will be opened and reviewed following this RFQ process.

- END OF THIS RFQ -

## SUBMITTAL INSTRUCTIONS

From: Yellowstone County Commissioners  
Yellowstone County, Billings, Montana

Project: Yellowstone County Detention Facility Addition/Remodel

For: Request for Qualifications and Request for Proposals (single submittal)  
Selection of General Contractor/Construction Manager

As time is of the essence, Yellowstone County (Owner) is hereby requesting Requests for Qualifications (RFQ) and Requests for Proposals (RFP) in a single submission for a two part selection process to make a selection of General Contractor/Construction Manager (GC/CM) for an alternative project delivery contract for the Yellowstone County Detention Facility Addition/Remodel, Billings, Montana. This single submission will incorporate both an RFQ response and an RFP response.

All interested firms shall submit one (1) envelope/package clearly identifying the project, name of the submitting firm and the date/time for submittals, and which contains two (2) separately sealed envelopes/packages. The two (2) separate sealed envelopes/packages shall clearly identify the project, the name of the firm, and the words "REQUEST FOR QUALIFICATIONS" on the one sealed envelope/package containing the RFQ information, and "REQUEST FOR PROPOSALS" on the one sealed envelope/package containing the RFP information.

Submittals are due no later than 5:00PM, December 2<sup>nd</sup>, at the following location:  
Board of County Commissioners  
Room 403  
217 N. 27<sup>th</sup> Street  
Billings, MT 59107.

A selection committee established by the County will review the RFQ submittals from each firm to determine whether said firm is qualified and responsive to the RFQ, per selection committee determination, to propose further on this project. Firms that are adjudged as qualified and responsive will enter directly into the RFP selection process. The County selection committee will review only the RFP submittals of those firms which the committee has determined as qualified and responsive to the RFQ. The RFP responses of those firms that are not considered qualified or responsive by the committee will not be opened or reviewed.

This RFQ/RFP shall not commit the County to enter into any agreement, to pay any expenses incurred in preparation of any response to this request, or to procure or contract for any supplies, goods or services. The County reserves the right to accept or reject any and all responses received as a result of this RFQ/RFP if it is in the County's best interest to do so. By offering to perform services under this procurement, proposers agree to be bound by the laws of the State of Montana, including but not limited to: applicable wage rates, gross receipts taxes, building codes, Equal Opportunity Employment practices, and safety.

**B.O.C.C. Regular**

Agenda Item 8.

**Meeting Date:** 11/15/2016

**Title:** October 2016 Disbursements

**Submitted For:** Sherry Long, Treasurer

**Submitted By:** Emily Larson

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**TOPIC:**

Disbursements and Checks for October 2016

**BACKGROUND:**

N/A

**RECOMMENDED ACTION:**

Approve

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**Attachments**

October 2016 Disbursements

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# County of Yellowstone

ASSESSOR, TREASURER & SUPT. OF SCHOOLS

(406) 256-2802  
(406) 254-7928 (fax)  
P.O. Box 35010  
Billings, MT 59107-5010



Date: November 9, 2016

To: Yellowstone County BOCC

From: Sherry Long, Yellowstone County Treasurer/Assessor/Supt. of Schools

A handwritten signature in black ink, appearing to be "Sherry Long", is written over the "From:" line.

Re: County Treasurer's Disbursements & Checks for October 2016

Board of County Commissioners:

I have attached the County Treasurer's Report of Cash Disbursements and Checks for the month of **October 2016**.

If you have any questions, please contact me.

Thank you.

Cc: Debby Hernandez, Yellowstone County Auditor

**YELLOWSTONE COUNTY TREASURER'S DISBURSEMENTS - OCTOBER - 2016**

COUNTY REDEEMED WARRANTS	20,996,444.29
COUNTY VOUCHERS	5,042,548.23
SCHOOL VOUCHERS	3,793,795.75

**TOTAL DISBURSEMENTS 29,832,788.27**

**COUNTY TREASURER'S CHECKS**

<b>CHECK#</b>	<b>NAME</b>	<b>AMOUNT</b>	<b>REASON</b>
26565	FREDERICK C. ZAPPE	\$291.80	1002930
26566	ABC SEAMLESS	\$154.14	1006679
26567	BARBARA CODDINGTON	\$17.20	10030073
26568	PATRICIA DINARDI	\$142.26	#12376957 MV
26569	TAPCO, LLC	\$142.34	A01670 REDEMPTION
26570	RICHELLE G. THOMPSON	\$108.55	1008576
26571	ROBERT METZGER	\$20.50	C04376
26572	SELECT PORTFOLIO	\$8.56	C01774
26573	YELLOWSTONE COUNTY TREASURER	\$229.16	#12414935 MV
26574	APRIL FOURNIER	\$10.00	#12414935 MV
26575	SELECT PORTFOLIO SERVICING	\$5.13	C05215
26576	JAMES LEWIS	\$10.00	#12420191 MV
26577	KEVIN MCGOVERN	\$148.56	3-74330A WEB REFUND
26578	STEWART TITLE CO.	\$10.03	C09546 SID PAYOFF
26579	MONTANA INTERACTIVE	\$1,129.00	SEPTEMBER MV TRP'S
26580	CASTLE COFFEE LLC	\$12.81	I01079
26581	ANGELA DORWART	\$17.00	#12419486 MV
26582	YELLOWSTONE COUNTY TREASURER	\$160.42	#12490540 MV
26583	MELINDA CALDWELL	\$256.16	1000471
26584	TERRY VANDERPAN	\$50.00	#12429102 MV
26585	KERRIE ROBERTSON	\$20.08	D04274
26586	MARK DAWSON	\$28.32	A231550 +
26587	FREEDOM CHURCH	\$236.01	#12085343 MV
26588	VICKI SIEGERT	\$156.09	3-64099B MV
26589	JIM ROCK	\$23.18	D06593
	<b>TOTAL</b>	<b>\$3,387.30</b>	

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher:

0

Line #	Account	Description	Entry Date:	Debit	Credit	Journal
<b>Journal Entry Number: 885</b>						
1	5810.000.000.010100.000	NITRO CIRCUS CHARGE BACK	10/03/2016	\$0.00	(\$1,431.50)	JEDB
2	5810.000.000.013305.000	NITRO CIRCUS CHARGE BACK		\$1,431.50	\$0.00	JEDB
3	7208.000.000.010100.000	LCKWD FIRE PAYROLL	10/03/16	\$0.00	(\$27,062.77)	JEDB
4	7208.000.000.021210.000	LCKWD FIRE PAYROLL	10/03/16	\$27,062.77	\$0.00	JEDB
5	7208.000.000.010100.000	LCKWD FIRE TAXES	10/03/16	\$0.00	(\$5,030.08)	JEDB
6	7208.000.000.021210.000	LCKWD FIRE TAXES	10/03/16	\$5,030.08	\$0.00	JEDB
7	7282.000.000.010100.000	LCKWD IRRIG TAXES	10/03/16	\$0.00	(\$1,860.86)	JEDB
8	7282.000.000.021210.000	LCKWD IRRIG TAXES	10/03/16	\$1,860.86	\$0.00	JEDB
9	7282.000.000.010100.000	LCKWD IRRIG PAYROLL	10/03/16	\$0.00	(\$1,676.11)	JEDB
10	7282.000.000.021210.000	LCKWD IRRIG PAYROLL	10/03/16	\$1,676.11	\$0.00	JEDB
11	7278.000.000.010100.000	HUNTLEY IRRIG INVESTMENT		\$0.00	(\$1,391.74)	JEDB
12	7278.000.000.021210.000	HUNTLEY IRRIG INVESTMENT		\$1,391.74	\$0.00	JEDB
13	6050.000.000.010100.000	BC/BS CLAIMS	9/24/16 - 9/30/16	\$0.00	(\$183,973.06)	JEDB
14	6050.000.601.500700.351	BC/BS CLAIMS	9/24/16 - 9/30/16	\$183,973.06	\$0.00	JEDB
15	6050.000.000.010100.000	BC/BS SEPT 2016 ADMIN FEES		\$0.00	(\$26,285.35)	JEDB
16	6050.000.601.500700.514	BC/BS SEPT 2016 ADMIN FEES		\$26,285.35	\$0.00	JEDB
Total for Journal Entry Number: 885				\$248,711.47	(\$248,711.47)	
<b>Journal Entry Number: 886</b>						
1	7208.000.000.010100.000	LCKWD FIRE CREDIT CARD FEE	10/04/2016	\$0.00	(\$0.25)	JEDB
2	7208.000.000.021210.000	LCKWD FIRE CREDIT CARD FEE		\$0.25	\$0.00	JEDB
Total for Journal Entry Number: 886				\$0.25	(\$0.25)	
<b>Journal Entry Number: 887</b>						
1	1000.000.000.010100.000	REDEMPTION FEES MISSED A01670	10/05/2016	\$0.00	(\$142.34)	JEDB
2	1000.000.000.366040.000	REDEMPTION FEES MISSED A01670		\$142.34	\$0.00	JEDB
3	7910.000.000.010100.000	PERS	9/7/16	\$0.00	(\$114,850.43)	JEDB
4	7910.000.000.021222.000	PERS	9/7/16	\$114,850.43	\$0.00	JEDB
5	7910.000.000.010100.000	BUYBACK	9/7/16	\$0.00	(\$234.57)	JEDB
6	7910.000.000.021223.000	BUYBACK	9/7/16	\$234.57	\$0.00	JEDB
7	7910.000.000.010100.000	SHERIFFS	9/7/16	\$0.00	(\$56,076.16)	JEDB

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher:

0

Line #	Account	Description	Debit	Credit	Journal
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Total for Journal Entry Number: 887

8	7910.000.000.021224.000	SHERIFFS	\$56,076.16	\$0.00	JEDB
			\$171,303.50	(\$171,303.50)	

Journal Entry Number: 888

Entry Date: 10/06/2016

1	7910.000.000.010100.000	PERS	\$0.00	(\$113,258.05)	JEDB
2	7910.000.000.021222.000	PERS	\$113,258.05	\$0.00	JEDB
3	7910.000.000.010100.000	BUYBACK	\$0.00	(\$234.56)	JEDB
4	7910.000.000.021223.000	BUYBACK	\$234.56	\$0.00	JEDB
5	7910.000.000.010100.000	SHERIFFS	\$0.00	(\$56,217.01)	JEDB
6	7910.000.000.021224.000	SHERIFFS	\$56,217.01	\$0.00	JEDB
7	6050.000.000.010100.000	MEDIMPACT	\$0.00	(\$67,483.58)	JEDB
8	6050.000.601.500700.304	MEDIMPACT	\$67,483.58	\$0.00	JEDB
Total for Journal Entry Number: 888			\$237,193.20	(\$237,193.20)	

Journal Entry Number: 889

Entry Date: 10/07/2016

1	7400.000.000.010100.000	Y-STONE COUNTY MV REF# 12414935 - 12662	\$0.00	(\$229.16)	JEDB
2	7400.000.000.024061.000	Y-STONE COUNTY MV REF# 12414935 - 12662	\$229.16	\$0.00	JEDB
3	7400.000.000.010100.000	APRIL FOURNIER MV REF# 12414935 - 12662	\$0.00	(\$10.00)	JEDB
4	7400.000.000.024061.000	APRIL FOURNIER MV REF# 12414935 - 12662	\$10.00	\$0.00	JEDB
5	7400.000.000.010100.000	DOJ SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$1,541,619.17)	JEDB
6	7400.000.000.024112.000	DOJ SEPTEMBER 2016 COLLECTIONS - 12663	\$1,541,619.17	\$0.00	JEDB
7	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$16,271.46)	JEDB
8	7400.000.000.024107.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$16,271.46	\$0.00	JEDB
9	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$1,287.00)	JEDB
10	7400.000.000.024120.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$1,287.00	\$0.00	JEDB
11	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$24,595.13)	JEDB
12	7400.000.000.024239.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$24,595.13	\$0.00	JEDB
13	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$825.00)	JEDB
14	7400.000.000.024241.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$825.00	\$0.00	JEDB
15	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$12,212.25)	JEDB
16	7400.000.000.024245.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$12,212.25	\$0.00	JEDB
17	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$18,450.00)	JEDB

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher:

0

Line #	Account	Description	Debit	Credit	Journal
18	7400.000.000.024265.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$18,450.00	\$0.00	JEDB
19	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$5,630.58)	JEDB
20	7400.000.000.024430.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$5,630.58	\$0.00	JEDB
21	7400.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$3,633.00)	JEDB
22	7400.000.000.024542.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$3,633.00	\$0.00	JEDB
23	7410.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$37,707.48)	JEDB
24	7410.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$37,707.48	\$0.00	JEDB
25	7440.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$2,001.34)	JEDB
26	7440.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$2,001.34	\$0.00	JEDB
27	7467.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$9,210.47)	JEDB
28	7467.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$9,210.47	\$0.00	JEDB
29	7527.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$13,339.64)	JEDB
30	7527.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$13,339.64	\$0.00	JEDB
31	7570.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$500.04)	JEDB
32	7570.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$500.04	\$0.00	JEDB
33	7760.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$11,004.76)	JEDB
34	7760.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$11,004.76	\$0.00	JEDB
35	7810.000.000.010100.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$7,336.87)	JEDB
36	7810.000.000.021220.000	DOR SEPTEMBER 2016 COLLECTIONS - 12663	\$7,336.87	\$0.00	JEDB
37	7850.000.000.010100.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$278,528.67)	JEDB
38	7850.000.000.021240.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$278,528.67	\$0.00	JEDB
39	7852.000.000.010100.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$45,465.32)	JEDB
40	7852.000.000.021240.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$45,465.32	\$0.00	JEDB
41	7854.000.000.010100.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$686.15)	JEDB
42	7854.000.000.021240.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$686.15	\$0.00	JEDB
43	7857.000.000.010100.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$2,264.97)	JEDB
44	7857.000.000.021240.000	COB SEPTEMBER 2016 COLLECTIONS - 12663	\$2,264.97	\$0.00	JEDB
45	7860.000.000.010100.000	COL SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$18,244.46)	JEDB
46	7860.000.000.021240.000	COL SEPTEMBER 2016 COLLECTIONS - 12663	\$18,244.46	\$0.00	JEDB
47	7861.000.000.010100.000	COL SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$746.40)	JEDB
48	7861.000.000.021240.000	COL SEPTEMBER 2016 COLLECTIONS - 12663	\$746.40	\$0.00	JEDB

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher:

0

Line #	Account	Description	Debit	Credit	Journal
49	7862.000.000.010100.000	COL SEPTEMBER 2016 COLLECTIONS - 12663	\$0.00	(\$636.64)	JEDB
50	7862.000.000.021240.000	CLB SEPTEMBER 2016 COLLECTIONS - 12663	\$636.64	\$0.00	JEDB
51	7910.000.000.010100.000	EBMS FLEX - FSA	\$0.00	(\$3,627.89)	JEDB
52	7910.000.000.021265.000	EBMS FLEX - FSA	\$3,627.89	\$0.00	JEDB
53	7910.000.000.010100.000	EBMS FLEX - FCC	\$0.00	(\$1,699.94)	JEDB
54	7910.000.000.021267.000	EBMS FLEX - FCC	\$1,699.94	\$0.00	JEDB
55	7910.000.000.010100.000	EBMS - LIMITED FLEX	\$0.00	(\$23.00)	JEDB
56	7910.000.000.021275.000	EBMS - LIMITED FLEX	\$23.00	\$0.00	JEDB
57	7910.000.000.010100.000	HSA/EBMS - ER CONTRIB	\$0.00	(\$8,399.00)	JEDB
58	7910.000.000.021276.000	HSA/EBMS - ER CONTRIB	\$8,399.00	\$0.00	JEDB
59	7910.000.000.010100.000	HSA/EBMS - EE CONTRIB	\$0.00	(\$9,480.13)	JEDB
60	7910.000.000.021277.000	HSA/EBMS - EE CONTRIB	\$9,480.13	\$0.00	JEDB
61	7910.000.000.010100.000	EBMS ADMIN FEES	\$0.00	(\$445.50)	JEDB
62	7910.000.000.021266.000	EBMS ADMIN FEES	\$445.50	\$0.00	JEDB
63	7910.000.000.010100.000	EMPLOYEE PAYMENTS	\$0.00	(\$537,665.20)	JEDB
64	7910.000.000.020110.000	EMPLOYEE PAYMENTS	\$537,665.20	\$0.00	JEDB
65	7910.000.000.010100.000	FEDERAL INC TAX W/H	\$0.00	(\$87,373.45)	JEDB
66	7910.000.000.020110.000	FEDERAL INC TAX W/H	\$87,373.45	\$0.00	JEDB
67	7910.000.000.010100.000	FICA W/H	\$0.00	(\$109,593.18)	JEDB
68	7910.000.000.020110.000	FICA W/H	\$109,593.18	\$0.00	JEDB
69	7910.000.000.010100.000	MEDICARE W/H	\$0.00	(\$25,630.74)	JEDB
70	7910.000.000.020110.000	MEDICARE W/H	\$25,630.74	\$0.00	JEDB
71	7350.000.000.010100.000	BIG SKY ECONOMIC TRANSFER	\$0.00	(\$40,000.00)	JEDB
72	7350.000.000.021210.000	BIG SKY ECONOMIC TRANSFER	\$40,000.00	\$0.00	JEDB
Total for Journal Entry Number: 889			\$2,876,373.99	(\$2,876,373.99)	
Journal Entry Number: 890					
1	7910.000.000.010100.000	FEDERAL INC TAX W/H	\$0.00	(\$1,660.01)	JEDB
2	7910.000.000.020110.000	FEDERAL INC TAX W/H	\$1,660.01	\$0.00	JEDB
3	7910.000.000.010100.000	FICA W/H	\$0.00	(\$2,886.10)	JEDB
4	7910.000.000.020110.000	FICA W/H	\$2,886.10	\$0.00	JEDB
Entry Date: 10/11/2016					

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher:

0

Line #	Account	Description	Debit	Credit	Journal
5	7910.000.000.010100.000	MEDICARE W/H	\$0.00	(\$674.98)	JEDB
6	7910.000.000.020110.000	MEDICARE W/H	\$674.98	\$0.00	JEDB
7	6050.000.000.010100.000	BC/BS CLAIMS	\$0.00	(\$113,927.11)	JEDB
8	6050.000.601.500700.351	BC/BS CLAIMS	\$113,927.11	\$0.00	JEDB
9	7208.000.000.010100.000	LCKWD FIRE AMBULANCE	\$0.00	(\$116.15)	JEDB
10	7208.000.000.021210.000	LCKWD FIRE AMBULANCE	\$116.15	\$0.00	JEDB
11	1000.000.000.010100.000	DISTRICT COURT CC MACHINE LEASE	\$0.00	(\$66.87)	JEDB
12	1000.000.000.346025.000	DISTRICT COURT CC MACHINE LEASE	\$66.87	\$0.00	JEDB
13	7980.000.000.010100.000	BANK SERVICE CHARGE	\$0.00	(\$6,100.98)	JEDB
14	7980.000.000.021100.000	BANK SERVICE CHARGE	\$6,100.98	\$0.00	JEDB
Total for Journal Entry Number: 890			\$125,432.20	(\$125,432.20)	

Journal Entry Number: 891	Entry Date: 10/13/2016				
1	7278.000.000.010100.000	HUNTLEY IRRIG WORKMAN COMP	\$0.00	(\$3,519.41)	JEDB
2	7278.000.000.021210.000	HUNTLEY IRRIG WORKMAN COMP	\$3,519.41	\$0.00	JEDB
3	2300.000.000.010100.000	SHERIFF CIVIL CAPITAL EQUIPMENT	\$0.00	(\$1,443.00)	JEDB
4	2300.000.133.420160.940	SHERIFF CIVIL CAPITAL EQUIPMENT	\$1,443.00	\$0.00	JEDB
5	7282.000.000.010100.000	LCKWD IRRIG PAYROLL	\$0.00	(\$996.57)	JEDB
6	7282.000.000.021210.000	LCKWD IRRIG PAYROLL	\$996.57	\$0.00	JEDB
7	7910.000.000.010100.000	PERS	\$0.00	(\$101,898.15)	JEDB
8	7910.000.000.021222.000	PERS	\$101,898.15	\$0.00	JEDB
9	7910.000.000.010100.000	BUYBACK	\$0.00	(\$234.57)	JEDB
10	7910.000.000.021223.000	BUYBACK	\$234.57	\$0.00	JEDB
11	7910.000.000.010100.000	SHERIFF'S	\$0.00	(\$52,905.36)	JEDB
12	7910.000.000.021224.000	SHERIFF'S	\$52,905.36	\$0.00	JEDB
13	1000.000.000.010100.000	BANK CARD FEES	\$0.00	(\$446.54)	JEDB
14	1000.000.000.346025.000	BANK CARD FEES	\$446.54	\$0.00	JEDB
15	1000.000.000.010100.000	BANK CARD FEES	\$0.00	(\$879.81)	JEDB
16	1000.000.000.346025.000	BANK CARD FEES	\$879.81	\$0.00	JEDB
17	1000.000.000.010100.000	BANK CARD FEES	\$0.00	(\$6,664.22)	JEDB
18	1000.000.000.346025.000	BANK CARD FEES	\$6,664.22	\$0.00	JEDB

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher: 0

Line #	Account	Description	Debit	Credit	Journal
19	1000.000.000.010100.000	BANK CARD FEES	-12675	\$0.00	(\$278.55) JEDB
20	1000.000.000.346025.000	BANK CARD FEES	-12675	\$278.55	\$0.00 JEDB
21	1000.000.000.010100.000	BANK CARD FEES	-12675	\$0.00	(\$140.45) JEDB
22	1000.000.000.346025.000	BANK CARD FEES	-12675	\$140.45	\$0.00 JEDB
23	1000.000.000.010100.000	BANK CARD FEES	-12675	\$0.00	(\$319.60) JEDB
24	1000.000.000.346025.000	BANK CARD FEES	-12675	\$319.60	\$0.00 JEDB
25	1000.000.000.010100.000	BANK CARD FEES	-12675	\$0.00	(\$30.64) JEDB
26	1000.000.000.346025.000	BANK CARD FEES	-12675	\$30.64	\$0.00 JEDB
Total for Journal Entry Number: 891			\$169,756.87		(\$169,756.87)
<b>Journal Entry Number: 892</b>					
1	7400.000.000.010100.000	SEPTEMBER 2016 MV TRP'S	-12671	\$0.00	(\$1,129.00) JEDB
2	7400.000.000.024069.000	SEPTEMBER 2016 MV TRP'S	-12671	\$1,129.00	\$0.00 JEDB
3	7350.000.000.010100.000	BIG SKY ECONOMIC TRANSFER	-12674	\$0.00	(\$30,000.00) JEDB
4	7350.000.000.021210.000	BIG SKY ECONOMIC TRANSFER	-12674	\$30,000.00	\$0.00 JEDB
Total for Journal Entry Number: 892			\$31,129.00		(\$31,129.00)

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher: 0

Line # Account

Description

Debit

Credit Journal

Total Items Printed:

150

\$3,859,900.48

(\$3,859,900.48)

### Journal Entry Cash Totals

Total Cash Debits:

0.00

Total Cash Credits:

(3,859,900.48)

Net Cash:

(3,859,900.48)

### Journal Entry Summary Totals

Total Asset Debits:

1,431.50

Total Asset Credits:

(3,859,900.48)

Total Exp. Debits:

393,112.10

Total Exp. Credits:

0.00

Total Liab. Debits:

3,456,387.86

Total Liab. Credits:

0.00

Total Rev. Debits:

8,969.02

Total Rev. Credits:

0.00

Total Debits:

3,859,900.48

Total Credits:

(3,859,900.48)

### Master Account Entries

Fund	Description	Debits	Credits
1000	GENERAL	8,969.02	(8,969.02)
2300	PUBLIC SAFETY	1,443.00	(1,443.00)
5810	METRA	1,431.50	(1,431.50)
6050	HEALTH INSURANCE	391,669.10	(391,669.10)
7208	LOCKWOOD RURAL FIRE #8	32,209.25	(32,209.25)
7278	HUNTLEY O & M IRRIGATION	4,911.15	(4,911.15)
7282	LOCKWOOD O & M IRRIGATION	4,533.54	(4,533.54)
7350	BIG SKY ECON DEVEL. AUTH.	70,000.00	(70,000.00)
7400	COMBINED STATE	1,625,891.75	(1,625,891.75)

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: 10/3/16 - 10/14/16 COUNTY VOUCHERS

Reference: Disbursements

Voucher:

0

Line #	Account	Description	Debit	Credit	Journal
7410		STATE GENERAL	37,707.48	(37,707.48)	
7440		UNIVERSITY MILLAGE	2,001.34	(2,001.34)	
7467		MT LAW ACADEMY SURCG \$10	9,210.47	(9,210.47)	
7527		STATE EQUAL LEVY -SCHOOLS	13,339.64	(13,339.64)	
7570		VO-TECH CENTER	500.04	(500.04)	
7760		ELEM. EQUALIZATION	11,004.76	(11,004.76)	
7810		HIGH SCHOOL EQUALIZATION	7,336.87	(7,336.87)	
7850		CITY OF BILLINGS	278,528.67	(278,528.67)	
7852		BILLINGS SPECIALS	45,465.32	(45,465.32)	
7854		TIFD - 27TH ST URBAN RENEWAL	686.15	(686.15)	
7857		TIFD - S. BLGS BLVD.	2,264.97	(2,264.97)	
7860		CITY OF LAUREL	18,244.46	(18,244.46)	
7861		CITY OF LAUREL SPECIALS	746.40	(746.40)	
7862		CITY OF LAUREL - TIFD	636.64	(636.64)	
7910		PAYROLL	1,285,067.98	(1,285,067.98)	
7980		INV. INTEREST REVOLVING	6,100.98	(6,100.98)	
<b>Totals:</b>			<b>3,859,900.48</b>	<b>(3,859,900.48)</b>	

End of Report

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: COUNTY VOUCHERS 10/17/16 - 10/31/16

Reference: Disbursements

Voucher: 0

Line # Account Description

Debit

Credit Journal

**Journal Entry Number: 979**

Entry Date: 10/17/2016

1	6050.000.000.010100.000	BC/BS CLAIMS	10/8/16 - 10/14/16	- 12678	\$0.00	(\$100,387.14)	JEDB
2	6050.000.601.500700.351	BC/BS CLAIMS	10/8/16 - 10/14/16	- 12678	\$100,387.14	\$0.00	JEDB
					<u>\$100,387.14</u>	<u>(\$100,387.14)</u>	

Total for Journal Entry Number: 979

**Journal Entry Number: 980**

Entry Date: 10/18/2016

1	7208.000.000.010100.000	LCKWD FIRE PAYROLL	10/17/16	- 12679	\$0.00	(\$30,103.54)	JEDB
2	7208.000.000.021210.000	LCKWD FIRE PAYROLL	10/17/16	- 12679	\$30,103.54	\$0.00	JEDB
3	6050.000.000.010100.000	MED IMPACT	10/1/16 - 10/15/16	- 12679	\$0.00	(\$40,766.70)	JEDB
4	6050.000.601.500700.304	MED IMPACT	10/1/16 - 10/15/16	- 12679	\$40,766.70	\$0.00	JEDB
					<u>\$70,870.24</u>	<u>(\$70,870.24)</u>	

Total for Journal Entry Number: 980

**Journal Entry Number: 981**

Entry Date: 10/19/2016

1	7208.000.000.010100.000	LCKWD FIRE TAXES	10/17/16	- 12683	\$0.00	(\$5,759.94)	JEDB
2	7208.000.000.021210.000	LCKWD FIRE TAXES	10/17/16	- 12683	\$5,759.94	\$0.00	JEDB
3	7278.000.000.010100.000	HPID WORKMAN COMP	10/19/16	- 12683	\$0.00	(\$3,124.29)	JEDB
4	7278.000.000.021210.000	HPID WORKMAN COMP	10/19/16	- 12683	\$3,124.29	\$0.00	JEDB
5	7400.000.000.010100.000	Y\STONE CO. MV REF# 12490540		- 12684	\$0.00	(\$160.42)	JEDB
6	7400.000.000.024061.000	Y\STONE CO. MV REF# 12490540		- 12684	\$160.42	\$0.00	JEDB
					<u>\$9,044.65</u>	<u>(\$9,044.65)</u>	

Total for Journal Entry Number: 981

**Journal Entry Number: 982**

Entry Date: 10/21/2016

1	7910.000.000.010100.000	EBMS FLEX - FSA	10/21/16	- 12687	\$0.00	(\$3,846.32)	JEDB
2	7910.000.000.021265.000	EBMS FLEX - FSA	10/21/16	- 12687	\$3,846.32	\$0.00	JEDB
3	7910.000.000.010100.000	EBMS FLEX - FCC	10/21/16	- 12687	\$0.00	(\$1,699.94)	JEDB
4	7910.000.000.021267.000	EBMS FLEX - FCC	10/21/16	- 12687	\$1,699.94	\$0.00	JEDB
5	7910.000.000.010100.000	EBMS LIMITED FLEX	10/21/16	- 12687	\$0.00	(\$23.00)	JEDB
6	7910.000.000.021275.000	EBMS LIMITED FLEX	10/21/16	- 12687	\$23.00	\$0.00	JEDB
7	7910.000.000.010100.000	HS/AEBMS - ER CONTRIB	10/21/16	- 12687	\$0.00	(\$8,325.00)	JEDB
8	7910.000.000.021276.000	HS/AEBMS - ER CONTRIB	10/21/16	- 12687	\$8,325.00	\$0.00	JEDB
9	7910.000.000.010100.000	HS/AEBMS - EE CONTRIB	10/21/16	- 12687	\$0.00	(\$9,480.13)	JEDB
10	7910.000.000.021277.000	HS/AEBMS - EE CONTRIB	10/21/16	- 12687	\$9,480.13	\$0.00	JEDB
11	7910.000.000.010100.000	EBMS ADMIN FEES	10/21/16	- 12687	\$0.00	(\$444.00)	JEDB

# Yellowstone County

## Journal Entry

Fiscal Year: 2016-2017

Memo: COUNTY VOUCHERS 10/17/16 - 10/31/16

Reference: Disbursements

Voucher: 0

Line #	Account	Description	Debit	Credit	Journal
12	7910.000.000.021266.000	EBMS ADMIN FEES	10/21/16 -12687 \$444.00	\$0.00	JEDB
13	7910.000.000.010100.000	EMPLOYEE PAYMENTS	10/21/16 -12687 \$0.00	(\$557,054.01)	JEDB
14	7910.000.000.020110.000	EMPLOYEE PAYMENTS	10/21/16 -12687 \$557,054.01	\$0.00	JEDB
15	7910.000.000.010100.000	FEDERAL INC TAX W/H	10/21/16 -12687 \$0.00	(\$94,141.46)	JEDB
16	7910.000.000.020110.000	FEDERAL INC TAX W/H	10/21/16 -12687 \$94,141.46	\$0.00	JEDB
17	7910.000.000.010100.000	FICA W/H	10/21/16 -12687 \$0.00	(\$112,418.88)	JEDB
18	7910.000.000.020110.000	FICA W/H	10/21/16 -12687 \$112,418.88	\$0.00	JEDB
19	7910.000.000.010100.000	MEDICARE W/H	10/21/16 -12687 \$0.00	(\$26,291.32)	JEDB
20	7910.000.000.020110.000	MEDICARE W/H	10/21/16 -12687 \$26,291.32	\$0.00	JEDB
21	7208.000.000.010100.000	LCKWD FIRE MPERA	10/21/16 -12687 \$0.00	(\$8,744.73)	JEDB
22	7208.000.000.021210.000	LCKWD FIRE MPERA	10/21/16 -12687 \$8,744.73	\$0.00	JEDB
Total for Journal Entry Number: 982			\$822,468.79	(\$822,468.79)	
<b>Journal Entry Number: 983</b>					
1	6050.000.000.010100.000	BC/BS CLAIMS 10/15/16 - 10/21/16	-12689 \$0.00	(\$58,505.16)	JEDB
2	6050.000.601.500700.351	BC/BS CLAIMS 10/15/16 - 10/21/16	-12689 \$58,505.16	\$0.00	JEDB
Total for Journal Entry Number: 983			\$58,505.16	(\$58,505.16)	
<b>Journal Entry Number: 984</b>					
1	7400.000.000.010100.000	FREEDOM CHURCH MV REF#12085343-12690	\$0.00	(\$236.01)	JEDB
2	7400.000.000.024061.000	FREEDOM CHURCH MV REF#12085343-12690	\$236.01	\$0.00	JEDB
Total for Journal Entry Number: 984			\$236.01	(\$236.01)	
<b>Journal Entry Number: 985</b>					
1	5810.000.000.010100.000	PURGATORY EVENT @ METRA	-12694 \$0.00	(\$17,500.00)	JEDB
2	5810.000.000.013305.000	PURGATORY EVENT @ METRA	-12694 \$17,500.00	\$0.00	JEDB
Total for Journal Entry Number: 985			\$17,500.00	(\$17,500.00)	
<b>Journal Entry Number: 986</b>					
1	6050.000.000.010100.000	BC/BS CLAIMS 10/22/16 - 10/28/16	-12699 \$0.00	(\$89,846.58)	JEDB
2	6050.000.601.500700.351	BC/BS CLAIMS 10/22/16 - 10/28/16	-12699 \$89,846.58	\$0.00	JEDB
3	6050.000.000.010100.000	STEALTH PARTNER GROUP NOV-16	-12699 \$0.00	(\$13,027.18)	JEDB
4	6050.000.601.500700.510	STEALTH PARTNER GROUP NOV-16	-12699 \$13,027.18	\$0.00	JEDB
5	6050.000.000.010100.000	DATA SMART SOLUTIONS NOV-16	-12699 \$0.00	(\$762.00)	JEDB

Yellowstone County

Journal Entry

Fiscal Year: 2016-2017

Memo: COUNTY VOUCHERS 10/17/16 - 10/31/16

Reference: Disbursements

Voucher: 0

Line #	Account	Description	Debit	Credit	Journal
6	6050.000.601.500700.514	DATA SMART SOLUTIONS NOV-16 - 12699	\$762.00	\$0.00	JEDB
Total for Journal Entry Number: 986			\$103,635.76	(\$103,635.76)	

**Yellowstone County**

**Journal Entry**

Fiscal Year: 2016-2017

Memo: COUNTY VOUCHERS 10/17/16 - 10/31/16

Reference: Disbursements

Voucher: 0

Line # Account Description

Total Items Printed:

46

\$1,182,647.75 (\$1,182,647.75)

Debit Credit Journal

**Journal Entry Cash Totals**

Total Cash Debits: 0.00  
 Total Cash Credits: (1,182,647.75)  
**Net Cash: (1,182,647.75)**

**Journal Entry Summary Totals**

Total Asset Debits:	17,500.00	Total Asset Credits:	(1,182,647.75)
Total Exp. Debits:	303,294.76	Total Exp. Credits:	0.00
Total Liab. Debits:	861,852.99	Total Liab. Credits:	0.00
Total Rev. Debits:	0.00	Total Rev. Credits:	0.00
<b>Total Debits:</b>	<b>1,182,647.75</b>	<b>Total Credits:</b>	<b>(1,182,647.75)</b>

**Master Account Entries**

Fund	Description	Debits	Credits
5810	METRA	17,500.00	(17,500.00)
6050	HEALTH INSURANCE	303,294.76	(303,294.76)
7208	LOCKWOOD RURAL FIRE #8	44,608.21	(44,608.21)
7278	HUNTLEY O & M IRRIGATION	3,124.29	(3,124.29)
7400	COMBINED STATE	396.43	(396.43)
7910	PAYROLL	813,724.06	(813,724.06)
<b>Totals:</b>		<b>1,182,647.75</b>	<b>(1,182,647.75)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 894

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/03/2016

Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmkinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmkinnon

Posted On: 10/18/2016 12:37:51

Line #	Account	Description	Debit	Credit
1	7779.286.000.010100.000	SD # 15 - DD - PAYROLL	\$0.00	(\$36,553.99)
2	7779.286.000.000620.000	SD # 15 - DD - PAYROLL	\$36,553.99	\$0.00
3	7779.286.000.010100.000	SD # 15 - ACH TAX PAYMENT	\$0.00	(\$16,616.77)
4	7779.286.000.000620.000	SD # 15 - ACH TAX PAYMENT	\$16,616.77	\$0.00
5	7790.186.000.010100.000	SD # 52 - ACH TAX PAYMENT	\$0.00	(\$27,702.18)
6	7790.186.000.000620.000	SD # 52 - ACH TAX PAYMENT	\$27,702.18	\$0.00
7	7789.186.000.010100.000	SD # 41 - DD - PAYROLL	\$0.00	(\$23,404.28)
8	7789.186.000.000620.000	SD # 41 - DD - PAYROLL	\$23,404.28	\$0.00
9	7789.186.000.010100.000	SD # 41 - TRS	\$0.00	(\$4,128.94)
10	7789.186.000.000620.000	SD # 41 - TRS	\$4,128.94	\$0.00
11	7789.186.000.010100.000	SD # 41 - PERS	\$0.00	(\$1,182.45)
12	7789.186.000.000620.000	SD # 41 - PERS	\$1,182.45	\$0.00
13	7770.115.000.010100.000	SD # 2 - ECI	\$0.00	(\$4,206.15)
14	7770.115.000.099999.000	SD # 2 - ECI	\$4,206.15	\$0.00
15	7770.278.000.010100.000	SD # 2 - MI-CARE	\$0.00	(\$1,000.00)
16	7770.278.000.099999.000	SD # 2 - MI-CARE	\$1,000.00	\$0.00
Total Items Printed:			\$114,794.76	(\$114,794.76)

Master Account Entries

Fund	Debits	Credits
7770	5,206.15	(5,206.15)
7779	53,170.76	(53,170.76)
7789	28,715.67	(28,715.67)
7790	27,702.18	(27,702.18)
<b>Totals:</b>	<b>114,794.76</b>	<b>(114,794.76)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 895

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/04/2016

Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 10/18/2016 12:38:26

Line # Account

Description

Debit

Credit

Total Items Printed:

20

\$52,967.00

(\$52,967.00)

Master Account Entries

Fund	Debits	Credits
7770	13,235.35	(13,235.35)
7780	8,926.17	(8,926.17)
7787	9,270.57	(9,270.57)
7790	2,844.32	(2,844.32)
7791	1,217.00	(1,217.00)
7842	17,473.59	(17,473.59)

Totals:

52,967.00

(52,967.00)

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 895

Journal Type: JEGL

Fiscal Year: 2016-2017

Memo: BLM VOUCHERS DECEMBER 2016

Entry Date: 10/04/2016

Reference: DISBURSEMENTS

Voucher: 0

User ID: bmckinnon

Originator: bmckinnon

Posted On: 10/18/2016 12:38:26

Line #	Account	Description	Debit	Credit
1	7842.186.000.010100.000	WEST COOP - TRS	\$0.00	(\$17,473.59)
2	7842.186.000.000620.000	WEST COOP - TRS	\$17,473.59	\$0.00
3	7787.186.000.010100.000	SD # 26 - PERS	\$0.00	(\$9,270.57)
4	7787.186.000.000620.000	SD # 26 - PERS	\$9,270.57	\$0.00
5	7780.187.000.010100.000	SD # 17 - ACH TAX PAYMENT	\$0.00	(\$7,796.08)
6	7780.187.000.000620.000	SD # 17 - ACH TAX PAYMENT	\$7,796.08	\$0.00
7	7780.187.000.010100.000	SD # 17 - PERS	\$0.00	(\$1,130.09)
8	7780.187.000.000620.000	SD # 17 - PERS	\$1,130.09	\$0.00
9	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$7,471.03)
10	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$7,471.03	\$0.00
11	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$658.34)
12	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$658.34	\$0.00
13	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$256.81)
14	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$256.81	\$0.00
15	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$4,849.17)
16	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$4,849.17	\$0.00
17	7790.186.000.010100.000	SD # 52 - PERS	\$0.00	(\$2,844.32)
18	7790.186.000.000620.000	SD # 52 - PERS	\$2,844.32	\$0.00
19	7791.186.000.010100.000	SD # 58 - ACH TAX PAYMENT	\$0.00	(\$1,217.00)
20	7791.186.000.000620.000	SD # 58 - ACH TAX PAYMENT	\$1,217.00	\$0.00

**Yellowstone County**

**Journal Entry**

Journal Entry Number **896**

Fiscal Year: 2016-2017

Journal Type: JEG L

Entry Date: 10/05/2016

Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 10/18/2016 12:44:25

Line #	Account	Description	Debit	Credit
1	7781.186.000.010100.000	SD # 21 - PERS	\$0.00	(\$2,658.08)
2	7781.186.000.000620.000	SD # 21 - PERS	\$2,658.08	\$0.00
3	7842.186.000.010100.000	WEST COOP - DD - PAYROLL	\$0.00	(\$70,791.55)
4	7842.186.000.000620.000	WEST COOP - DD - PAYROLL	\$70,791.55	\$0.00
5	7842.186.000.010100.000	WEST COOP - ACH TAX PAYMENT	\$0.00	(\$27,040.33)
6	7842.186.000.000620.000	WEST COOP - ACH TAX PAYMENT	\$27,040.33	\$0.00
7	7779.286.000.010100.000	SD # 15 - PERS	\$0.00	(\$2,305.11)
8	7779.286.000.000620.000	SD # 15 - PERS	\$2,305.11	\$0.00
9	7779.286.000.010100.000	SD # 15 - ACH TAX PAYMENT	\$0.00	(\$15.40)
10	7779.286.000.000620.000	SD # 15 - ACH TAX PAYMENT	\$15.40	\$0.00
11	7770.278.000.010100.000	SD # 2 - EBMS	\$0.00	(\$207,469.28)
12	7770.278.000.099999.000	SD # 2 - EBMS	\$207,469.28	\$0.00
13	7770.218.000.010100.000	SD # 2 - NSF - ROBERTSON	\$0.00	(\$265.00)
14	7770.218.000.001900.000	SD # 2 - NSF - ROBERTSON	\$265.00	\$0.00
15	7770.110.000.010100.000	SD # 2 - NSF - BAILEY	\$0.00	(\$150.00)
16	7770.110.000.001420.000	SD # 2 - NSF - BAILEY	\$150.00	\$0.00
Total Items Printed:			\$310,694.75	(\$310,694.75)

**Master Account Entries**

Fund	Debits	Credits
7770	207,884.28	(207,884.28)
7779	2,320.51	(2,320.51)
7781	2,658.08	(2,658.08)
7842	97,831.88	(97,831.88)
<b>Totals:</b>	<b>310,694.75</b>	<b>(310,694.75)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 897

Journal Type: JEGL

Fiscal Year: 2016-2017

Memo: BLM VOUCHERS DECEMBER 2016

Reference: DISBURSEMENTS

Voucher: 0

Entry Date: 10/06/2016  
 User ID: bmckinnon  
 Originator: bmckinnon  
 Posted On: 10/18/2016 12:45:43

Line #	Account	Description	Debit	Credit
1	7784.186.000.010100.000	SD # 23 - TRS	\$0.00	(\$16,675.79)
2	7784.186.000.000620.000	SD # 23 - TRS	\$16,675.79	\$0.00
3	7842.186.000.010100.000	WEST COOP - PERS	\$0.00	(\$756.66)
4	7842.186.000.000620.000	WEST COOP - PERS	\$756.66	\$0.00
5	7770.291.000.010100.000	SD # 2 - P-CARD	\$0.00	(\$186,981.33)
6	7770.291.000.099999.000	SD # 2 - P-CARD	\$186,981.33	\$0.00
7	7770.287.000.010100.000	SD # 2 - OMNI	\$0.00	(\$10,610.15)
8	7770.287.000.000620.000	SD # 2 - OMNI	\$10,610.15	\$0.00
9	7842.186.000.010100.000	WEST COOP - OMNI	\$0.00	(\$5,768.38)
10	7842.186.000.000620.000	WEST COOP - OMNI	\$5,768.38	\$0.00
11	7770.218.000.010100.000	SD # 2 - NSF - THOMPSON	\$0.00	(\$135.00)
12	7770.218.000.001900.000	SD # 2 - NSF - THOMPSON	\$135.00	\$0.00
Total Items Printed:			\$220,927.31	(\$220,927.31)

Master Account Entries

Fund	Debits	Credits
7770	197,726.48	(197,726.48)
7784	16,675.79	(16,675.79)
7842	6,525.04	(6,525.04)
<b>Totals:</b>	<b>220,927.31</b>	<b>(220,927.31)</b>

End of Report

Yellowstone County

**Journal Entry**

Journal Entry Number 898

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/07/2016

Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 10/18/2016 12:46:16

Line # Account

Description

Debit

Credit

Total Items Printed:

24

\$1,299,058.49

(\$1,299,058.49)

Master Account Entries

Fund	Debits	Credits
7770	704,026.19	(704,026.19)
7773	78,941.11	(78,941.11)
7775	144,200.90	(144,200.90)
7784	107,153.08	(107,153.08)
7788	264,737.21	(264,737.21)
<b>Totals:</b>	<b>1,299,058.49</b>	<b>(1,299,058.49)</b>

End of Report

# Yellowstone County

## Journal Entry

Journal Entry Number **898**

Fiscal Year: **2016-2017**

Journal Type: JEGL

Entry Date: 10/07/2016 Memo: BLM VOUCHERS DECEMBER 2016

Reference: DISBURSEMENTS

User ID: bmrckinnon

Voucher: 0

Originator: bmrckinnon

Posted On: 10/18/2016 12:46:16

Line #	Account	Description	Debit	Credit
1	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$513,737.29)
2	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$513,737.29	\$0.00
3	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$187,283.90)
4	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$187,283.90	\$0.00
5	7775.286.000.010100.000	SD # 7 - DD - PAYROLL	\$0.00	(\$141,401.17)
6	7775.286.000.000620.000	SD # 7 - DD - PAYROLL	\$141,401.17	\$0.00
7	7775.286.000.010100.000	SD # 7 - LUEA	\$0.00	(\$2,799.73)
8	7775.286.000.000620.000	SD # 7 - LUEA	\$2,799.73	\$0.00
9	7784.186.000.010100.000	SD # 23 - DD - PAYROLL	\$0.00	(\$79,547.63)
10	7784.186.000.000620.000	SD # 23 - DD - PAYROLL	\$79,547.63	\$0.00
11	7784.186.000.010100.000	SD # 23 - ACH TAX PAYMENT	\$0.00	(\$27,605.45)
12	7784.186.000.000620.000	SD # 23 - ACH TAX PAYMENT	\$27,605.45	\$0.00
13	7773.186.000.010100.000	SD # 3 - DD - PAYROLL	\$0.00	(\$55,183.34)
14	7773.186.000.000620.000	SD # 3 - DD - PAYROLL	\$55,183.34	\$0.00
15	7773.186.000.010100.000	SD # 3 - ACH TAX PAYMENT	\$0.00	(\$11,566.06)
16	7773.186.000.000620.000	SD # 3 - ACH TAX PAYMENT	\$11,566.06	\$0.00
17	7773.186.000.010100.000	SD # 3 - TRS	\$0.00	(\$11,391.71)
18	7773.186.000.000620.000	SD # 3 - TRS	\$11,391.71	\$0.00
19	7770.286.000.010100.000	SD # 2 - 403B	\$0.00	(\$3,005.00)
20	7770.286.000.000620.000	SD # 2 - 403B	\$3,005.00	\$0.00
21	7773.186.000.010100.000	SD # 3 - OMNI	\$0.00	(\$800.00)
22	7773.186.000.000620.000	SD # 3 - OMNI	\$800.00	\$0.00
23	7788.286.000.010100.000	SD # 37 - DD - PAYROLL	\$0.00	(\$264,737.21)
24	7788.286.000.000620.000	SD # 37 - DD - PAYROLL	\$264,737.21	\$0.00

**Yellowstone County**

**Journal Entry**

Journal Entry Number 899

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/11/2016

Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmcinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmcinnon

Posted On: 10/18/2016 12:47:18

Line #	Account	Description	Debit	Credit
1	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$56,127.12)
2	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$56,127.12	\$0.00
3	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$359.70)
4	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$359.70	\$0.00
5	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$130.95)
6	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$130.95	\$0.00
7	7842.186.000.010100.000	WEST COOP - ACH TAX PAYMENT	\$0.00	(\$5,258.00)
8	7842.186.000.000620.000	WEST COOP - ACH TAX PAYMENT	\$5,258.00	\$0.00
Total Items Printed: 8			\$61,875.77	(\$61,875.77)

**Master Account Entries**

Fund	Debits	Credits
7775	56,617.77	(56,617.77)
7842	5,258.00	(5,258.00)
<b>Totals:</b>	61,875.77	(61,875.77)

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 900

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/12/2016

Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 10/18/2016 12:47:52

Line # Account

Description

Debit

Credit

Total Items Printed:

18

\$464,819.33

(\$464,819.33)

Master Account Entries

Fund	Debits	Credits
7770	292,387.18	(292,387.18)
7773	1,621.18	(1,621.18)
7775	1,337.22	(1,337.22)
7779	8,446.90	(8,446.90)
7784	3,477.15	(3,477.15)
7788	157,549.70	(157,549.70)
<b>Totals:</b>	<b>464,819.33</b>	<b>(464,819.33)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 900

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/12/2016 Memo: BLM VOUCHERS DECEMBER 2016

Reference: DISBURSEMENTS

User ID: bmckinnon

Voucher: 0

Originator: bmckinnon

Posted On: 10/18/2016 12:47:52

Line #	Account	Description	Debit	Credit
1	7779.286.000.010100.000	SD # 15 - TRS	\$0.00	(\$8,446.90)
2	7779.286.000.000620.000	SD # 15 - TRS	\$8,446.90	\$0.00
3	7770.286.000.010100.000	SD # 2 - PERS	\$0.00	(\$685.00)
4	7770.286.000.000620.000	SD # 2 - PERS	\$685.00	\$0.00
5	7788.286.000.010100.000	SD # 37 - ACH TAX PAYMENT	\$0.00	(\$95,389.99)
6	7788.286.000.000620.000	SD # 37 - ACH TAX PAYMENT	\$95,389.99	\$0.00
7	7788.286.000.010100.000	SD # 37 - TRS	\$0.00	(\$56,774.13)
8	7788.286.000.000620.000	SD # 37 - TRS	\$56,774.13	\$0.00
9	7784.186.000.010100.000	SD # 23 - PERS	\$0.00	(\$3,477.15)
10	7784.186.000.000620.000	SD # 23 - PERS	\$3,477.15	\$0.00
11	7773.186.000.010100.000	SD # 3 - PERS	\$0.00	(\$1,621.18)
12	7773.186.000.000620.000	SD # 3 - PERS	\$1,621.18	\$0.00
13	7775.286.000.010100.000	SD # 7 - H S A	\$0.00	(\$1,337.22)
14	7775.286.000.000620.000	SD # 7 - H S A	\$1,337.22	\$0.00
15	7770.278.000.010100.000	SD # 2 - EBMS	\$0.00	(\$291,702.18)
16	7770.278.000.099999.000	SD # 2 - EBMS	\$291,702.18	\$0.00
17	7788.286.000.010100.000	SD # 37 - 403B	\$0.00	(\$5,385.58)
18	7788.286.000.000620.000	SD # 37 - 403B	\$5,385.58	\$0.00

# Yellowstone County

## Journal Entry

Journal Entry Number 901

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/13/2016 Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmcinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmcinnon

Posted On: 10/18/2016 12:48:24

Line #	Account	Description	Debit	Credit
1	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$164,528.98)
2	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$164,528.98	\$0.00
3	7777.186.000.010100.000	SD # 8 - TRS	\$0.00	(\$27,957.15)
4	7777.186.000.000620.000	SD # 8 - TRS	\$27,957.15	\$0.00
5	7784.186.000.010100.000	SD # 23 - ACH TAX PAYMENT	\$0.00	(\$5,911.00)
6	7784.186.000.000620.000	SD # 23 - ACH TAX PAYMENT	\$5,911.00	\$0.00
7	7773.186.000.010100.000	SD # 3 - ACH TAX PAYMENT	\$0.00	(\$3,636.00)
8	7773.186.000.000620.000	SD # 3 - ACH TAX PAYMENT	\$3,636.00	\$0.00
9	7770.287.000.010100.000	SD # 2 - MILEAGE REIMB.	\$0.00	(\$200.39)
10	7770.287.000.000620.000	SD # 2 - MILEAGE REIMB.	\$200.39	\$0.00
11	7773.186.000.010100.000	SD # 3 - DD - PAYROLL	\$0.00	(\$88.50)
12	7773.186.000.000620.000	SD # 3 - DD - PAYROLL	\$88.50	\$0.00
13	7775.286.000.010100.000	SD # 7 - SCHOOL PREMIUMS	\$0.00	(\$57.29)
14	7775.286.000.000620.000	SD # 7 - SCHOOL PREMIUMS	\$57.29	\$0.00
Total Items Printed:			\$202,379.31	(\$202,379.31)

### Master Account Entries

Fund	Debits	Credits
7770	164,729.37	(164,729.37)
7773	3,724.50	(3,724.50)
7775	57.29	(57.29)
7777	27,957.15	(27,957.15)
7784	5,911.00	(5,911.00)
<b>Totals:</b>	<b>202,379.31</b>	<b>(202,379.31)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 902

Journal Type: JEGL

Fiscal Year: 2016-2017  
 Entry Date: 10/14/2016  
 User ID: bmckinnon  
 Originator: bmckinnon  
 Posted On: 10/18/2016 12:49:07

Memo: BLM VOUCHERS DECEMBER 2016

Reference: DISBURSEMENTS  
 Voucher: 0

Line #	Account	Description	Debit	Credit
30	7770.287.000.000620.000	SD # 2 - E-PAY	\$22,063.01	\$0.00
31	7770.286.000.010100.000	SD # 2 - 403B	\$0.00	(\$19,120.00)
32	7770.286.000.000620.000	SD # 2 - 403B	\$19,120.00	\$0.00
33	7841.186.000.010100.000	EAST COOP - ING	\$0.00	(\$2,700.00)
34	7841.186.000.000620.000	EAST COOP - ING	\$2,700.00	\$0.00
35	7791.186.000.010100.000	SD # 58 - ING	\$0.00	(\$1,193.50)
36	7791.186.000.000620.000	SD # 58 - ING	\$1,193.50	\$0.00
37	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$268.14)
38	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$268.14	\$0.00
Total Items Printed:			\$1,066,279.03	(\$1,066,279.03)

Master Account Entries

Fund	Debits	Credits
7770	666,948.56	(666,948.56)
7775	8,955.00	(8,955.00)
7777	157,022.03	(157,022.03)
7781	81,419.40	(81,419.40)
7788	15,922.00	(15,922.00)
7791	120,397.28	(120,397.28)
7841	15,614.76	(15,614.76)
<b>Totals:</b>	<b>1,066,279.03</b>	<b>(1,066,279.03)</b>

End of Report

**Yellowstone County**

**Journal Entry**

Journal Entry Number 902

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/14/2016 Memo: BLM VOUCHERS DECEMBER 2016

User ID: bmnckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmnckinnon

Posted On: 10/18/2016 12:49:07

Line #	Account	Description	Debit	Credit
1	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$381,603.64)
2	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$381,603.64	\$0.00
3	7777.186.000.010100.000	SD # 8 - DD - PAYROLL	\$0.00	(\$113,536.26)
4	7777.186.000.000620.000	SD # 8 - DD - PAYROLL	\$113,536.26	\$0.00
5	7777.186.000.010100.000	SD # 8 - ACH TAX PAYMENT	\$0.00	(\$43,485.77)
6	7777.186.000.000620.000	SD # 8 - ACH TAX PAYMENT	\$43,485.77	\$0.00
7	7791.186.000.010100.000	SD # 58 - DD - PAYROLL	\$0.00	(\$66,553.39)
8	7791.186.000.000620.000	SD # 58 - DD - PAYROLL	\$66,553.39	\$0.00
9	7791.186.000.010100.000	SD # 58 - ACH TAX PAYMENT	\$0.00	(\$31,397.70)
10	7791.186.000.000620.000	SD # 58 - ACH TAX PAYMENT	\$31,397.70	\$0.00
11	7791.186.000.010100.000	SD # 58 - DD - PAYROLL	\$0.00	(\$21,252.69)
12	7791.186.000.000620.000	SD # 58 - DD - PAYROLL	\$21,252.69	\$0.00
13	7781.186.000.010100.000	SD # 21 - DD - PAYROLL	\$0.00	(\$59,714.18)
14	7781.186.000.000620.000	SD # 21 - DD - PAYROLL	\$59,714.18	\$0.00
15	7781.186.000.010100.000	SD # 21 - ACH TAX PAYMENT	\$0.00	(\$21,705.22)
16	7781.186.000.000620.000	SD # 21 - ACH TAX PAYMENT	\$21,705.22	\$0.00
17	7788.286.000.010100.000	SD # 37 - ACH TAX PAYMENT	\$0.00	(\$15,922.00)
18	7788.286.000.000620.000	SD # 37 - ACH TAX PAYMENT	\$15,922.00	\$0.00
19	7841.186.000.010100.000	EAST COOP - ACH TAX PAYMENT	\$0.00	(\$12,914.76)
20	7841.186.000.000620.000	EAST COOP - ACH TAX PAYMENT	\$12,914.76	\$0.00
21	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$8,914.00)
22	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$8,914.00	\$0.00
23	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$41.00)
24	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$41.00	\$0.00
25	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$811.91)
26	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$811.91	\$0.00
27	7770.291.000.010100.000	SD # 2 - P-CARD	\$0.00	(\$243,081.86)
28	7770.291.000.099999.000	SD # 2 - P-CARD	\$243,081.86	\$0.00
29	7770.287.000.010100.000	SD # 2 - E-PAY	\$0.00	(\$22,063.01)

Yellowstone County

Journal Entry

Journal Entry Number 991

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/17/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmcinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmcinnon

Posted On: 11/02/2016 11:07:15

Line #	Account	Description	Debit	Credit
1	7788.286.000.010100.000	SD # 37 - PERS	\$0.00	(\$12,705.15)
2	7788.286.000.000620.000	SD # 37 - PERS	\$12,705.15	\$0.00
3	7777.186.000.010100.000	SD # 8 - PERS	\$0.00	(\$2,706.05)
4	7777.186.000.000620.000	SD # 8 - PERS	\$2,706.05	\$0.00
5	7791.186.000.010100.000	SD # 58 - PERS	\$0.00	(\$774.48)
6	7791.186.000.000620.000	SD # 58 - PERS	\$774.48	\$0.00
7	7770.287.000.010100.000	SD # 2 - MILEAGE REIMB	\$0.00	(\$159.63)
8	7770.287.000.000620.000	SD # 2 - MILEAGE REIMB	\$159.63	\$0.00
Total Items Printed:			\$16,345.31	(\$16,345.31)

Master Account Entries

Fund	Debits	Credits
7770	159.63	(159.63)
7777	2,706.05	(2,706.05)
7788	12,705.15	(12,705.15)
7791	774.48	(774.48)
<b>Totals:</b>	<b>16,345.31</b>	<b>(16,345.31)</b>

End of Report

**Yellowstone County**

**Journal Entry**

Journal Entry Number 992

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/18/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmkinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmkinnon

Posted On: 11/02/2016 11:07:50

Line #	Account	Description	Debit	Credit
1	7781.186.000.010100.000	SD # 21 - ACH TAX PAYMENT	\$0.00	(\$1,143.40)
2	7781.186.000.000620.000	SD # 21 - ACH TAX PAYMENT	\$1,143.40	\$0.00
3	7779.286.000.010100.000	SD # 15 - PERS	\$0.00	(\$61.38)
4	7779.286.000.000620.000	SD # 15 - PERS	\$61.38	\$0.00

Total Items Printed:

4

\$1,204.78

(\$1,204.78)

**Master Account Entries**

Fund	Debits	Credits
7779	61.38	(61.38)
7781	1,143.40	(1,143.40)
<b>Totals:</b>	1,204.78	(1,204.78)

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 993

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/19/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:08:52

Line # Account

Description

Debit Credit

Total Items Printed: 44

\$7,048,342.50 (\$7,048,342.50)

Master Account Entries

Fund	Debits	Credits
7770	5,790,524.02	(5,790,524.02)
7775	580,028.83	(580,028.83)
7777	8,634.00	(8,634.00)
7785	222,007.09	(222,007.09)
7787	407,399.56	(407,399.56)
7791	5,950.00	(5,950.00)
7841	33,799.00	(33,799.00)
<b>Totals:</b>	<b>7,048,342.50</b>	<b>(7,048,342.50)</b>

End of Report

Yellowstone County

Journal Entry Number 993

Journal Entry

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/19/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:08:52

Line #	Account	Description	Debit	Credit
30	7777.186.000.000620.000	SD # 8 - ACH TAX PAYMENT	\$8,634.00	\$0.00
31	7791.186.000.010100.000	SD # 58 - ACH TAX PAYMENT	\$0.00	(\$5,950.00)
32	7791.186.000.000620.000	SD # 58 - ACH TAX PAYMENT	\$5,950.00	\$0.00
33	7775.286.000.010100.000	SD # 7 - H S A	\$0.00	(\$1,049.99)
34	7775.286.000.000620.000	SD # 7 - H S A	\$1,049.99	\$0.00
35	7770.278.000.010100.000	SD # 2 - EBMS	\$0.00	(\$531,103.99)
36	7770.278.000.099999.000	SD # 2 - EBMS	\$531,103.99	\$0.00
37	7770.286.000.010100.000	SD # 2 - EBMS	\$0.00	(\$43,512.03)
38	7770.286.000.000620.000	SD # 2 - EBMS	\$43,512.03	\$0.00
39	7770.286.000.010100.000	SD # 2 - 403B	\$0.00	(\$87,584.50)
40	7770.286.000.000620.000	SD # 2 - 403B	\$87,584.50	\$0.00
41	7785.286.000.010100.000	SD # 24 - 403B	\$0.00	(\$7,304.30)
42	7785.286.000.000620.000	SD # 24 - 403B	\$7,304.30	\$0.00
43	7785.286.000.010100.000	SD # 24 - H S A	\$0.00	(\$4,556.17)
44	7785.286.000.000620.000	SD # 24 - H S A	\$4,556.17	\$0.00

# Yellowstone County

## Journal Entry

Journal Entry Number 993

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/19/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmkinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmkinnon

Posted On: 11/02/2016 11:08:52

Line #	Account	Description	Debit	Credit
1	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$3,624,499.43)
2	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$3,624,499.43	\$0.00
3	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$1,503,824.07)
4	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$1,503,824.07	\$0.00
5	7787.186.000.010100.000	SD # 26 - DD - PAYROLL	\$0.00	(\$231,521.01)
6	7787.186.000.000620.000	SD # 26 - DD - PAYROLL	\$231,521.01	\$0.00
7	7787.186.000.010100.000	SD # 26 - ACH TAX PAYMENT	\$0.00	(\$114,883.53)
8	7787.186.000.000620.000	SD # 26 - ACH TAX PAYMENT	\$114,883.53	\$0.00
9	7787.186.000.010100.000	SD # 26 - DD - PAYROLL	\$0.00	(\$60,995.02)
10	7787.186.000.000620.000	SD # 26 - DD - PAYROLL	\$60,995.02	\$0.00
11	7775.286.000.010100.000	SD # 7 - DD - PAYROLL	\$0.00	(\$412,067.93)
12	7775.286.000.000620.000	SD # 7 - DD - PAYROLL	\$412,067.93	\$0.00
13	7785.286.000.010100.000	SD # 24 - DD - PAYROLL	\$0.00	(\$197,290.15)
14	7785.286.000.000620.000	SD # 24 - DD - PAYROLL	\$197,290.15	\$0.00
15	7785.286.000.010100.000	SD # 24 - DD - PAYROLL	\$0.00	(\$12,856.47)
16	7785.286.000.000620.000	SD # 24 - DD - PAYROLL	\$12,856.47	\$0.00
17	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$152,078.19)
18	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$152,078.19	\$0.00
19	7775.286.000.010100.000	SD # 7 - H S A	\$0.00	(\$7,957.11)
20	7775.286.000.000620.000	SD # 7 - H S A	\$7,957.11	\$0.00
21	7775.286.000.010100.000	SD # 7 - DD - PAYROLL	\$0.00	(\$6,875.61)
22	7775.286.000.000620.000	SD # 7 - DD - PAYROLL	\$6,875.61	\$0.00
23	7841.186.000.010100.000	EAST COOP - ACH TAX PAYMENT	\$0.00	(\$31,047.75)
24	7841.186.000.000620.000	EAST COOP - ACH TAX PAYMENT	\$31,047.75	\$0.00
25	7841.186.000.010100.000	EAST COOP - PERS	\$0.00	(\$2,440.00)
26	7841.186.000.000620.000	EAST COOP - PERS	\$2,440.00	\$0.00
27	7841.186.000.010100.000	EAST COOP - PERS	\$0.00	(\$311.25)
28	7841.186.000.000620.000	EAST COOP - PERS	\$311.25	\$0.00
29	7777.186.000.010100.000	SD # 8 - ACH TAX PAYMENT	\$0.00	(\$8,634.00)

**Yellowstone County**

**Journal Entry**

Journal Entry Number 994

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/20/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:09:30

Line # Account

Description

Debit

Credit

Total Items Printed:

24

\$433,105.39

(\$433,105.39)

**Master Account Entries**

Fund	Debits	Credits
7770	214,896.38	(214,896.38)
7774	62,822.80	(62,822.80)
7775	50,672.91	(50,672.91)
7781	450.00	(450.00)
7785	96,644.56	(96,644.56)
7841	7,618.74	(7,618.74)

**Totals:**

433,105.39

(433,105.39)

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 994

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/20/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmrkinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmrkinnon

Posted On: 11/02/2016 11:09:30

Line #	Account	Description	Debit	Credit
1	7785.286.000.010100.000	SD # 24 - ACH TAX PAYMENT	\$0.00	(\$96,644.56)
2	7785.286.000.000620.000	SD # 24 - ACH TAX PAYMENT	\$96,644.56	\$0.00
3	7774.187.000.010100.000	SD # 4 - DD - PAYROLL	\$0.00	(\$62,822.80)
4	7774.187.000.000620.000	SD # 4 - DD - PAYROLL	\$62,822.80	\$0.00
5	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$39,182.26)
6	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$39,182.26	\$0.00
7	7775.286.000.010100.000	SD # 7 - PERS	\$0.00	(\$24,124.50)
8	7775.286.000.000620.000	SD # 7 - PERS	\$24,124.50	\$0.00
9	7775.286.000.010100.000	SD # 7 - OMNI	\$0.00	(\$9,740.00)
10	7775.286.000.000620.000	SD # 7 - OMNI	\$9,740.00	\$0.00
11	7775.286.000.010100.000	SD # 7 - H S A	\$0.00	(\$3,422.46)
12	7775.286.000.000620.000	SD # 7 - H S A	\$3,422.46	\$0.00
13	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$15,690.49)
14	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$15,690.49	\$0.00
15	7775.286.000.010100.000	SD # 7 - P-CARD	\$0.00	(\$13,385.95)
16	7775.286.000.000620.000	SD # 7 - P-CARD	\$13,385.95	\$0.00
17	7841.186.000.010100.000	EAST COOP - TRS	\$0.00	(\$7,618.74)
18	7841.186.000.000620.000	EAST COOP - TRS	\$7,618.74	\$0.00
19	7770.291.000.010100.000	SD # 2 - P-CARD	\$0.00	(\$153,996.43)
20	7770.291.000.099999.000	SD # 2 - P-CARD	\$153,996.43	\$0.00
21	7770.287.000.010100.000	SD # 2 - E-PAY	\$0.00	(\$6,027.20)
22	7770.287.000.000620.000	SD # 2 - E-PAY	\$6,027.20	\$0.00
23	7781.186.000.010100.000	SD # 21 - ING	\$0.00	(\$450.00)
24	7781.186.000.000620.000	SD # 21 - ING	\$450.00	\$0.00

**Yellowstone County**

**Journal Entry**

Journal Entry Number 995

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/21/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:10:02

Line #	Account	Description	Debit	Credit
1	7775.286.000.010100.000	SD # 7 - TRS	\$0.00	(\$127,119.22)
2	7775.286.000.000620.000	SD # 7 - TRS	\$127,119.22	\$0.00
3	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$1,169.63)
4	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$1,169.63	\$0.00
5	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$274.66)
6	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$274.66	\$0.00
7	7791.186.000.010100.000	SD # 58 - PERS	\$0.00	(\$711.22)
8	7791.186.000.000620.000	SD # 58 - PERS	\$711.22	\$0.00
Total Items Printed: 8			\$129,274.73	(\$129,274.73)

**Master Account Entries**

Fund	Debits	Credits
7770	1,444.29	(1,444.29)
7775	127,119.22	(127,119.22)
7791	711.22	(711.22)
<b>Totals:</b>	129,274.73	(129,274.73)

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 996

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/24/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:10:34

Line #	Account	Description	Debit	Credit
1	7770.286.000.010100.000	SD # 2 - DD - PAYROLL	\$0.00	(\$487,445.00)
2	7770.286.000.000620.000	SD # 2 - DD - PAYROLL	\$487,445.00	\$0.00
3	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$174,992.30)
4	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$174,992.30	\$0.00
5	7775.286.000.010100.000	SD # 7 - ACH TAX PAYMENT	\$0.00	(\$26,381.00)
6	7775.286.000.000620.000	SD # 7 - ACH TAX PAYMENT	\$26,381.00	\$0.00
7	7787.186.000.010100.000	SD # 26 - ACH TAX PAYMENT	\$0.00	(\$19,396.00)
8	7787.186.000.000620.000	SD # 26 - ACH TAX PAYMENT	\$19,396.00	\$0.00
9	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$131.79)
10	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$131.79	\$0.00
Total Items Printed:			\$708,346.09	(\$708,346.09)

Master Account Entries

Fund	Debits	Credits
7770	662,569.09	(662,569.09)
7775	26,381.00	(26,381.00)
7787	19,396.00	(19,396.00)
<b>Totals:</b>	<b>708,346.09</b>	<b>(708,346.09)</b>

End of Report

**Yellowstone County**

**Journal Entry**

Journal Entry Number 997

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/25/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:11:08

Line #	Account	Description	Debit	Credit
1	7774.187.000.010100.000	SD # 4 - ACH TAX PAYMENT	\$0.00	(\$21,330.72)
2	7774.187.000.000620.000	SD # 4 - ACH TAX PAYMENT	\$21,330.72	\$0.00
Total Items Printed:			\$21,330.72	(\$21,330.72)

**Master Account Entries**

Fund	Debits	Credits
7774	21,330.72	(21,330.72)
<b>Totals:</b>	21,330.72	(21,330.72)

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 998

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/26/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmcinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmcinnon

Posted On: 11/02/2016 11:11:57

Line #	Account	Description	Debit	Credit
1	7787.186.000.010100.000	SD # 26 - TRS	\$0.00	(\$77,008.85)
2	7787.186.000.000620.000	SD # 26 - TRS	\$77,008.85	\$0.00
3	7770.286.000.010100.000	SD # 2 - DD PAYROLL	\$0.00	(\$671.94)
4	7770.286.000.000620.000	SD # 2 - DD PAYROLL	\$671.94	\$0.00
5	7770.286.000.010100.000	SD # 2 - DD PAYROLL	\$0.00	(\$178.27)
6	7770.286.000.000620.000	SD # 2 - DD PAYROLL	\$178.27	\$0.00
7	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$153.64)
8	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$153.64	\$0.00
9	7774.187.000.010100.000	SD # 4 - ACH TAX PAYMENT	\$0.00	(\$34.42)
10	7774.187.000.000620.000	SD # 4 - ACH TAX PAYMENT	\$34.42	\$0.00
11	7770.278.000.010100.000	SD # 2 - EBMS	\$0.00	(\$194,720.38)
12	7770.278.000.099999.000	SD # 2 - EBMS	\$194,720.38	\$0.00
13	7770.286.000.010100.000	SD # 2 - EBMS	\$0.00	(\$12,796.73)
14	7770.286.000.000620.000	SD # 2 - EBMS	\$12,796.73	\$0.00
15	7788.112.000.010100.000	SD # 37 - NSF - ALLEN	\$0.00	(\$35.00)
16	7788.112.000.001600.000	SD # 37 - NSF - ALLEN	\$35.00	\$0.00
Total Items Printed:			\$285,599.23	(\$285,599.23)

Master Account Entries

Fund	Debits	Credits
7770	208,520.96	(208,520.96)
7774	34.42	(34.42)
7787	77,008.85	(77,008.85)
7788	35.00	(35.00)
<b>Totals:</b>	<b>285,599.23</b>	<b>(285,599.23)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 999

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/27/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:12:33

Line #	Account	Description	Debit	Credit
1	7791.186.000.010100.000	SD # 58 - TRS	\$0.00	(\$26,575.00)
2	7791.186.000.000620.000	SD # 58 - TRS	\$26,575.00	\$0.00
3	7791.186.000.010100.000	SD # 58 - ACH TAX PAYMENT	\$0.00	(\$5,962.51)
4	7791.186.000.000620.000	SD # 58 - ACH TAX PAYMENT	\$5,962.51	\$0.00
5	7785.287.000.010100.000	SD # 24 - P-CARD	\$0.00	(\$13,744.78)
6	7785.287.000.000620.000	SD # 24 - P-CARD	\$13,744.78	\$0.00
7	7770.286.000.010100.000	SD # 2 - ACH TAX PAYMENT	\$0.00	(\$9,658.17)
8	7770.286.000.000620.000	SD # 2 - ACH TAX PAYMENT	\$9,658.17	\$0.00
9	7770.286.000.010100.000	SD # 2 - DD PAYROLL	\$0.00	(\$9,071.41)
10	7770.286.000.000620.000	SD # 2 - DD PAYROLL	\$9,071.41	\$0.00
11	7770.286.000.010100.000	SD # 2 - DD PAYROLL	\$0.00	(\$8,445.39)
12	7770.286.000.000620.000	SD # 2 - DD PAYROLL	\$8,445.39	\$0.00
13	7770.291.000.010100.000	SD # 2 - P-CARD	\$0.00	(\$130,965.56)
14	7770.291.000.099999.000	SD # 2 - P-CARD	\$130,965.56	\$0.00
15	7770.287.000.010100.000	SD # 2 - E-PAY	\$0.00	(\$28,197.18)
16	7770.287.000.000620.000	SD # 2 - E-PAY	\$28,197.18	\$0.00
Total Items Printed:			\$232,620.00	(\$232,620.00)

Master Account Entries

Fund	Debits	Credits
7770	186,337.71	(186,337.71)
7785	13,744.78	(13,744.78)
7791	32,537.51	(32,537.51)
<b>Totals:</b>	<b>232,620.00</b>	<b>(232,620.00)</b>

End of Report

Yellowstone County

Journal Entry

Journal Entry Number 1000

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/28/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmnckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmnckinnon

Posted On: 11/02/2016 11:13:08

Line #	Account	Description	Debit	Credit
1	7770.286.000.010100.000	SD # 2 - TRS	\$0.00	(\$1,100,379.05)
2	7770.286.000.000620.000	SD # 2 - TRS	\$1,100,379.05	\$0.00
3	7787.187.000.010100.000	SD # 26 - P-CARD	\$0.00	(\$23,629.11)
4	7787.187.000.000620.000	SD # 26 - P-CARD	\$23,629.11	\$0.00

Total Items Printed: 4

\$1,124,008.16 (\$1,124,008.16)

Master Account Entries

Fund	Debits	Credits
7770	1,100,379.05	(1,100,379.05)
7787	23,629.11	(23,629.11)
<b>Totals:</b>	<b>1,124,008.16</b>	<b>(1,124,008.16)</b>

End of Report

**Yellowstone County**

**Journal Entry**

Journal Entry Number 1001

Fiscal Year: 2016-2017

Journal Type: JEGL

Entry Date: 10/31/2016

Memo: BLM VOUCHERS OCTOBER 2016

User ID: bmckinnon

Reference: DISBURSEMENTS

Voucher: 0

Originator: bmckinnon

Posted On: 11/02/2016 11:13:45

Line #	Account	Description	Debit	Credit
1	7791.186.000.010100.000	SD # 58 - DD - PAYROLL	\$0.00	(\$18,611.17)
2	7791.186.000.000620.000	SD # 58 - DD - PAYROLL	\$18,611.17	\$0.00
3	7791.186.000.010100.000	SD # 58 - ACH TAX PAYMENT	\$0.00	(\$1,112.00)
4	7791.186.000.000620.000	SD # 58 - ACH TAX PAYMENT	\$1,112.00	\$0.00
5	7781.186.000.010100.000	SD # 2 - PERS	\$0.00	(\$2,136.56)
6	7781.186.000.000620.000	SD # 2 - PERS	\$2,136.56	\$0.00
7	7770.285.000.010100.000	SD # 2 - NSF - RIOJAS	\$0.00	(\$70.00)
8	7770.285.000.001900.000	SD # 2 - NSF - RIOJAS	\$70.00	\$0.00
Total Items Printed: 8			\$21,929.73	(\$21,929.73)

**Master Account Entries**

Fund	Debits	Credits
7770	70.00	(70.00)
7781	2,136.56	(2,136.56)
7791	19,723.17	(19,723.17)
<b>Totals:</b>	<b>21,929.73</b>	<b>(21,929.73)</b>

End of Report